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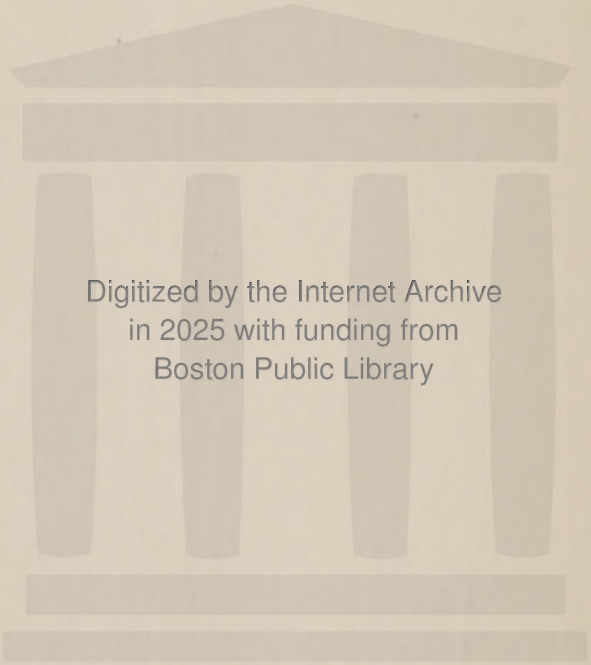
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A

COMPENDIOUS HISTORY

OF

NEW ENGLAND

FROM THE

DISCOVERY BY EUROPEANS

TO THE

First General Congress of the Anglo-American Colonies

BY

JOHN GORHAM PALFREY

IN FOUR VOLUMES

VOL. IV

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HISTORY OF NEW ENGLAND.

BOOK V.

PROGRESS UNDER THE HANOVERIAN KINGS.

CHAPTER V.

ADMINISTRATION OF BURNET.

Gilbert Burnet, the famous Bishop of Salisbury, had several children. By his interest, one of them, who was named William after his godfather, the Prince of Orange, and who had been bred to the legal profession, held in England a place in the customs, from which he was transferred to be governor of New York and New Jersey, being then just over thirty years of age. His administration of those provinces was in general satisfactory to the people, though, towards the close of it, a faction was created against him on account of some regulation of the Indian trade, which gave displeasure to the merchants of the city of New York. Whether in consequence of their complaints, or because, as the historian Hutchinson had learned, the place, being lucrative, was coveted by a favorite of King George the Second, Burnet, on the acces- 1720.

sion of that prince to the throne, was transferred to the government of Massachusetts, a post then of more honor, but of uncertain pecuniary value. The government of New Hampshire was added, but the profit from this was small. The change was disagreeable to Burnet, as he had lost largely in the South Sea speculation, and had a numerous family on his hands. The busy bishop was now dead, and his children had to rely on their own merits and fortune.

Governor Burnet possessed qualities imposing and attractive. His figure and manners were dignified and engaging. He was intelligent, witty, learned, accomplished, and experienced in business. In his youth he had been reputed to entertain doubts of the authority of revealed religion, but, under the influence of Sir Isaac Newton, he had come to a better state of mind, and while he was in New York he published a theological work, which had some reputation and currency.

The history of Burnet's fourteen months' administration of Massachusetts is little else than the record of a dispute with the House of Representatives about the settling of a stated salary upon the governor. The reader has seen that this question, introduced by Dudley, and largely treated by him and his successor, had been mostly lost sight of in the last years of the government of Shute, and in that of Lieutenant-Governor Dummer, which followed. It was not brought

to a settlement in Governor Burnet's time, but it was then that the contest about it was most animated.

The lavish magnificence of his reception in Massachusetts, so far as it expressed genuine enthusiasm, is to be ascribed to the general veneration entertained for the memory of his father. As far as it was dictated by prudence, its object may be naturally imagined to have been to conciliate the new ruler in respect to the different matters upon which the province had been at issue with his predecessors, especially in the reign of the late king.

Losing no time in causing his own position on this matter to be understood, he made it the sole theme of his first communication to the General Court. Eleven days after reaching Boston he addressed them in a speech, in the first sentence of which he not only declared peremptorily what he wanted, but cleverly turned the generosity of their reception of him into an argument in favor of his demand. "The commission," he said, "with which his Majesty has honored me, however unequal I am to it, has been received in so respectful and noble a manner, and the plenty and wealth of this great province has appeared to me in such a strong light, as will not suffer me to doubt of your supporting his Majesty's government by an ample, honorable, and lasting settlement." He flattered their sense of importance by saying that they approached

1728. July 24.

"the nearest of any of his Majesty's American dominions to the trade and numbers of people in his European kingdoms." He gave them notice of the King's pleasure respecting the salary, of his own immovable purpose to comply with it precisely, and of his confident expectation that they would do the same. "I shall lay before you his Majesty's instruction to me upon this subject, which, as it shall be an inviolable rule for my conduct, will without question have its due weight with you." Meanwhile he volunteered some suggestions of his argument in its support. "The three distinct branches of the Legislature," he said, "preserved in a due balance, form the excellency of the British Constitution. If any one of these branches should become the less able to support its own dignity and freedom, the whole must inevitably suffer by the operation. I need not draw the parallel at length. It speaks of itself. . . . . The wisdom of parliaments has now made it an established custom to grant the civil list to the king for life. And as I am confident the representatives of the people here would be unwilling to own themselves outdone in duty to his Majesty by any of his subjects, I have reason to hope that they will not think such an example has anything in it which they are not ready to imitate."

Next came a copy of the royal instruction, which justified the governor's description of it. After rebukes to the provincial authorities for

their previous neglect of directions of the same tenor, it proceeded as follows: "Our will and pleasure therefore is, and we do hereby require and direct you to acquaint the Council and Assembly of our said province of the Massachusetts Bay, that, as they hope to recommend themselves to the continuance of our royal grace and favor, they must manifest the same by an immediate compliance with what has been so often recommended to them in forthwith passing Acts to establish a fixed and honorable salary for the supporting and maintaining the dignity of our governor and commander-in-chief for the time being; and we deem a competent sum for that purpose to be at least one thousand pounds sterling per annum from our said province of the Massachusetts Bay. And in case the said Council and Assembly shall not pay a due and immediate regard to our royal will and pleasure hereby signified, we shall look upon it as a manifest mark of their undutiful behavior to us, and such as may require the consideration of the Legislature in what manner the honor and dignity of our government ought to be supported in our said province for the future."

This threat of a resort to the interference of Parliament was made the more significant by a remembrance of the measures which had from time to time been taken by the Ministry to engage Parliament in a scrutiny of the colonial charters. The power of Parliament in respect to

those charters was the more of a bugbear for having never been defined, nor so much as discussed. But a vague belief of the omnipotence of that body was a sort of English instinct. When the King said that he considered his authority as affronted, and that he might see fit to call on his Parliament to vindicate it, it was impossible that the patriots of Massachusetts should not revert to those times of which the memory was so recent, when the cancelling of their charter had placed them at the mercy of King James and his governor. Nevertheless, their resolution was taken. Two days, morning and evening, they read over again and again the governor's speech and the instructions referred to in it, "and spent some considerable time in debating thereon." The day after these discussions was Sunday, and they did not meet. And the next day
July 27. they simply "resolved that the sum of seventeen hundred pounds be allowed and paid out of the public treasury to his Excellency William Burnet, Esquire, Captain-General and Governor-in-Chief of this his Majesty's province, to enable him to manage the public affairs of the government, and defray the charge he hath been at in coming here." The amount of the grant was unprecedentedly large. The Representatives were willing to be liberal, and gained some advantage by showing themselves to be so disposed. But the question of a greater or less liberality, to be exercised at their own discretion, was one

entirely different from that on which they had resolved to make their stand.

It is probable that the governor was scarcely prepared for so prompt an exhibition of firmness on their part. On the third day after, the Council having meanwhile concurred in the vote, July 30. the governor sent a message to both Houses. The grant, he said, "is contrary to his Majesty's instruction communicated to you, inasmuch as that sum is allowed partly 'to enable me to manage the public affairs of the government,' which part of the application of that sum is the very thing against which the said instruction is levelled; for it recites that, 'instead of a salary, the Council and Assembly had from time to time made governors such allowances and in such proportions as they themselves have thought his Majesty's governors had deserved, in order thereby to make the said governors the more dependent upon them,' which is by his Majesty termed a neglect of their duty; and an immediate compliance in settling a salary payable to the governor is made a condition of his royal favor, and the contrary declared a manifest mark of undutiful behavior. For these reasons, I am utterly disabled from consenting to the said resolve, that I may not draw his Majesty's just displeasure upon myself; and I hope that when you have considered the whole matter with its consequences you will have the same thoughts with me."

The issue was distinctly joined. A sharp dispute followed, which did not result in causing either party to abandon the position it had taken.

Aug. 6. The House, having meditated on the subject for a week, passed a resolve dividing its former grant, and giving the governor three hundred pounds "for defraying the charges" of his journey, and fourteen hundred pounds "to enable him to manage the public affairs." And the two branches joined in an Address praying him to accept this provision, and expressing their confidence "that this and succeeding Assemblies would at the usual times cheerfully afford a support suitable to the dignity of his person and station." They professed to "apprehend that his Majesty's service in the necessary defence and support of the government, and the protection and preservation of the inhabitants thereof, the two great ends proposed in the power granted to this Court for the raising taxes, will be best answered without establishing a fixed salary," and at the same time they "esteemed it a great unhappiness that his Majesty should think our method of supporting a governor of this province a design of making them dependent on the people." This language seems carefully chosen. It does not affirm that such was not their design, but that they were sorry the King should think it to be. No doubt they regretted that his discernment was not more dull.

Aug. 9. To this Address the governor replied that

"the privilege in the charter to raise money for the support of the government was therein expressed to be *by wholesome and reasonable laws and directions*, and consequently not by such as were hurtful . . . . . to the ends of government"; and that "a support given in such a precarious manner as had been usual here could not possibly be honorable, because it implied no sort of confidence in the government, and made the support of it depend visibly on an entire compliance with everything demanded by the other branches of the Legislature." He made a telling point when he said, "I may appeal to the consciences of such gentlemen as have been concerned in the public affairs here, whether the allowance for the governor's salary has not been kept back till other bills of moment have been consented to, and whether it has not sometimes depended on the obtaining such consent. These matters, which are well known, leave no room to wonder why his Majesty thinks this method of supporting the governors a design to make them dependent on the people. And as you have given me no reason at all against this opinion, I must believe it is the real view intended to be pursued."

To the governor's message each branch of the Legislature prepared an answer, and neither would consent to adopt the form proposed by the other. The answer of the Council was brief, merely expressing in general terms their regret that a difference should have occurred at so early

a period of the administration; their continued persuasion that the purpose for which the power to levy taxes had been conferred by the charter "would be best answered without establishing a fixed salary"; and their opinion that "an honorable allowance made by the General Court at the beginning of a session" could not "be justly looked upon as having a tendency to bring the governor into a dependence on the people inconsistent with the dignity of his station, or his freedom of acting according to his judgment."

The House had come to deal more frankly with the policy of maintaining a control over the governor by keeping him in dependence for his livelihood. "If," they said, "we resemble the British Constitution, as your Excellency has done us the honor to declare, we humbly apprehend that no part of the Legislature should be independent. We have ever conceived that it was the peculiar distinction and glory of the British Constitution, that every part of it had a mutual relation to and dependence on each other. . . . . If your Excellency intends that we do not put so much confidence in the governor as the Parliament do in our most gracious sovereign, to whom the civil list is granted for his life, (which God long preserve!) we freely acknowledge it. Is it reasonable or possible that we should confide in any governor whatsoever so much as in our most gracious King, the common father of all his subjects, who is known to delight in nothing so

much as their happiness, and whose interest and glory, and that of his royal progeny, are inseparable from the prosperity and welfare of his people, whereas it is most obvious that neither the prosperity nor adversity of a people affect a governor's interest at all, when he has once left them?" They pointed out particulars in which both branches of the Legislature were dependent on the governor, as constituting "vastly more than a counterbalance for any possible dependence of the governor upon them. As to the past conduct of Assemblies in making the support of the government conditional, ... it is not easy to say what men may have had or had not in their own views and thoughts; but this we can say, that to have done so, as the case might have been circumstanced, would not have been unreasonable in itself, nor without precedent from the Parliaments of England, when some of the greatest patriots and most wise and learned statesmen have been actors in them." And their unambiguously expressed conclusion was: "We are constrained in faithfulness to the people of this province to say, that we cannot pass any Act to establish a fixed salary for the governor, according to your Excellency's instruction from his Majesty."

The Council entertained the opinion that "though it might prove of ill consequence to settle a salary upon the governor for the time being, yet that a salary may be granted for a

certain time to his Excellency, William
Aug. 20. Burnet, Esq., without danger to the province"; and they passed a vote to that effect, with which the House refused to concur. Then
Aug. 28. the House asked the governor for a prorogation, inasmuch as sitting all summer was inconvenient to them. He was as obstinate as they. "In answer," he said, "to your message of this afternoon, that the House is desirous to rise, I must observe to you that his Majesty expects an immediate regard from the Council and Assembly to his will and pleasure signified in his twenty-third instruction to me concerning the establishment of a fixed and honorable salary for the support of the government. If I should consent to your present desire, I should thereby make your immediate regard to his Majesty's pleasure impossible, which it is not as long as this present session continues; and therefore I cannot agree to a recess till you have finished this matter for which the court is now met." The House renewed its request, and the governor repeated his refusal, accompanying it with a threat. "I am
Aug. 29. persuaded," he said, "that you would be very sorry to have his Majesty's favor withdrawn from you on account of your undutiful behavior in not paying an immediate regard to this instruction; and you would be very much concerned to find the Legislature of Great Britain taking into consideration the support of this government, and perhaps something besides, which I

forbear to name. When these things happen, as from your proceedings they naturally must, I am sure you will thank no person who has been instrumental in bringing matters to such a pass; and therefore for your own sakes, as well as out of duty to his Majesty, I declare to you my fixed resolution of doing nothing on my part that may put it out of your power to continue in your duty to the best of kings."

To this message the House made a reply, which appears to have been drawn by Mr. Cooke, and into which were incorporated the reasonings of that paper of theirs which a fortnight before had failed to obtain the approbation of the Council. The governor answered it in a long argument which produced no other effect upon them than a repetition of the request for a prorogation, after the passing of two resolves which took higher ground than ever. They were: 1. That they would not "take under consideration the settling a temporary salary upon the governor or commander-in-chief for the time being"; 2. That they could not, "with safety to the people they represented, come into any other method for supporting the governor or commander-in-chief for the time being, than what had heretofore been practised." When the committee of the House delivered their message, "And here," said the governor, who had information of its purport, "is my answer thereto." It was as follows: "Gentlemen of the House of

Sept. 2.

Representatives; I have already informed you that my duty to his Majesty will not permit me to agree to a recess till his instruction is complied with. I have given you my reasons why I think so, and I have answered all your objections. I can only assure you that unless his Majesty's pleasure has its due weight with you, your desires will have very little with me."

Actuated, as they said, by "an earnest desire, by all just and proper ways consistent with the privileges of this people, to recommend them to the continuance of his Majesty's royal grace and favor, and to bring this session which has been already so long and expensive to a good conclusion," the Council "voted that it is expedient for this Court now to ascertain a sum as a salary for his Excellency's support, as also the term of time for the continuance of the same." The House refused so much as to consider this proposal. They turned to the people. They fortified themselves with an elaborate "Advice" to their constituents, recapitulating the transactions of the session, and explaining their own moderation, and the governor's obstinacy. This was designed "to be transmitted to the several towns by their representatives" on the rising of the Court, because, notwithstanding their confidence in the correctness of their proceedings, "several members had desired to know the minds of their principals." But when the hope of a prorogation was disappointed, it was circulated at once.

Sept. 6.

Sept. 11.

The governor brought another influence to bear. He sent to the House an extract from a letter written six years before by the prov- 1722. March 10.
ince's agent, Jeremiah Dummer, giving an account of a conversation between Dummer and Lord Carteret, Secretary of State. That minister had advised Dummer "to write to the Assembly that they would so behave themselves for the future as not to provoke the government to bring the matter of their charter before the Parliament; for if they did, he said 't was his opinion that it would be dissolved without opposition." Lord Carteret had referred to a bill lately introduced into Parliament for the subjection of Ireland. "It was entitled, 'A Bill for better securing the Dependence of Ireland on the Crown of Great Britain'; and it passed without a division. This, his Lordship said, would be our fate on the like occasion." And complaining "that by several votes and resolutions of the lower House, printed in their journals, we showed an inclination to be independent of the administration here, and that we treated the King's commands as waste paper, particularly in not settling a proper salary on our governors, he had recommended to them for their own sakes a more discreet conduct." The governor did not serve his cause by this recollection. An unheeded and unexecuted threat has been divested of its terrors when it is six years old. Lord Carteret can scarcely be said to have been now in power. At all events,

the new charm of his brilliancy, and with it a part of his consequence, was gone. Robert Walpole was at the head of the King's affairs, and it belonged to his cautious policy not to touch the colonies as long as he could with decency let them alone.

1728. Sept. 17. The governor sent to the House a long, elaborate, and acrid stricture on their "Advice" to the towns, though he had received no formal communication of it. The House

Sept. 20. promptly replied with a counter-criticism no less careful, but characterized by a calmness and dignity which rebuked his petulance;

Sept. 21. and the next day they renewed the grant, which the governor had declined, of fourteen hundred pounds "for his support in managing the affairs of the government," and added a grant of sixteen hundred pounds more. Again he

Sept. 23. sent them an extended and peevish argument upon the case as they had last presented it. He resented as a grossly injurious imputation their suggestion of the reason why he refused them leave to separate. "What could be less decent or respectful, and more irritating, than directly to charge me with a design to keep you sitting in order to compel you to act contrary to your native freedom and declared judgment, and so betray the great trust and confidence your principals have reposed in you?" His reason for refusing to prorogue them was, as he tauntingly phrased it, "that I may do nothing on my part

that may put it out of your power to continue in your duty to the best of kings." As to the three thousand pounds they had offered him, he would have none of their money except on his own terms. "As to your offer which you have now made, I see no difference between it and what I was obliged to decline before, but in the sum; that is to say, that you would give me still a higher reward for to take his Majesty's displeasure off from you and lay it upon myself, which I am by no means inclined to do."

The House replied in a very few respectful words, merely affirming their continued conviction of the correctness of their views of the controverted question. The governor was not at all discouraged. He owned to the Duke of Newcastle, that while he had "brought the Council into the measure of a fixed salary," he had found himself "contending with a stiff Assembly"; but at the same time he informed the Lords of Trade that he "intended to continue sitting with the Assembly till they comply, that the country, who pay about a thousand pounds a month to the Council and Representatives by way of wages during their attendance, may feel the inconvenience of their standing out." "I have now," he wrote, "reduced them to silence. . . . . I am so far from desiring to have leave to depart from my instruction [so as to receive their grant of three thousand pounds], that I think his Majesty's authority

Oct 2.

Sept. 13.

Sept. 30.

in danger of being lost in this country, if it be given up in this point."

The governor tried yet another device. He informed the House in a formal speech that he had reason to believe that their Act for the issue of sixty thousand pounds in bills of credit, passed in the last year, would be disallowed by the King, a result which would be fruitful of embarrassments; and that the most likely way to save it would be to appropriate the interest which it would bring in to the salary which he was demanding. The Council proposed to refer this communication to a joint committee. The House, refusing to make this disposal of it, referred it to a committee of their own, and sent out warrants to call in all the members for the more solemn deliberation on the subject. On the report of their committee, the House replied to the governor's proposal: "If we should by such an Act settle the said four per cent, as your Excellency moves, it would be fixing a salary, which is concluded by this House to tend very much to the hurt of the people of this province, as we have often declared, and in this opinion we still fully are." And they added, "As we have been very ready to show our honorable esteem and high respect for your Excellency at your arrival and till your settlement, and in adorning the province house for your more pleasant entertainment, so we are very desirous that your Excellency may

Oct. 1.

Oct. 5.

Oct. 24.

be still honorably supported, and therefore would again entreat you to accept of the fourteen and sixteen hundred pounds, which this Assembly have so cheerfully granted, and which is so far beyond any grants in this province ever before; which if your Excellency should be pleased to do, we cannot doubt but that succeeding Assemblies, according to the ability of the province, will be very ready to grant as ample a support. And if they should not, your Excellency will then have the opportunity of showing your resentments."

The answer to this Address was an adjournment of the Court by the governor for a week, to meet at the end of that time at the Court House in Salem. So bold an attempt at coercion did he deem expedient and becoming. In justifying it to the Lords of Trade he wrote that, 1. Boston had instructed its Representatives to vote against the establishment of salaries; that, 2. "the people of the town were continually endeavoring to pervert the minds of the members who come from the country," while at Salem he was "informed the people were generally well inclined, as the members from that place were"; and that, 3. "the whole profit of the meeting of the Assembly was confined to the town of Boston, who deserve so ill at the hands of the government." He "begged leave to propose two expedients that he humbly apprehended would be necessary to bring this people to reason and

Oct. 26.

their duty." One was "a disallowance of the Act for raising and settling a public revenue for and towards defraying the necessary charges of this government by an emission of sixty thousand pounds in bills of credit"; the other, "to lay before his Majesty the whole conduct of the Assembly, not only in refusing to comply with his Majesty's twenty-third instruction, but likewise in having the confidence to charge his Majesty with giving an instruction that has a direct tendency to weaken, if not to destroy, their happy Constitution." He "humbly submits if it is not absolutely necessary that his Majesty be moved to lay the matter before the Parliament." The action of Parliament which he desires "will be no final decision against their charter, but will give them just apprehensions of losing it, if they continue refractory." He begs the Board to "give all possible despatch to this affair, ... till which time this government is of no profit and has no authority." At the same time he informs the Duke of Newcastle that he has had "no subsistence at all but from perquisites from the shipping, which have amounted to about two hundred pounds sterling a year, since they were raised to a par with those of New York."

"You are, no doubt," he said, on meeting the Court in the unusual place for their assembling, "desirous of knowing my motives for removing the General Court from Boston, and I am as ready to satisfy you." He had, he

Oct. 31.

said, "for some time had too much reason to think that the general inclination of the inhabitants of that town was against a compliance with his Majesty's twenty-third instruction, and that they used endeavors to work upon the minds of the Representatives to bring them into their own way of thinking." But, as he proceeded to explain, what had brought him to the determination to change the seat of government for the present, was "a public unanimous declaration, at a town-meeting [of Boston] called for the purpose, that they were against settling a salary." He had "therefore thought it proper to adjourn the Court to some place where prejudices had not taken root." In terms well adapted to exasperate the existing disaffection, he recommended "a harmony between the branches of the Legislature." He repeated his argument respecting the last emission of bills of credit; and as to their rejection of it he assured them that he could not "think without concern on the consequences it would have to their disadvantage, and therefore would earnestly persuade them, if possible, to reconsider with care what had perhaps been too suddenly resolved, that, before it was too late, they might avoid all the unhappy effects which those measures might bring upon them."

It was no time for intimidation when the Representatives and the capital were incensed by so violent a measure as the removal of the Court. Perhaps it was to show that they meant to do

nothing in passion, that the House passed a fortnight in the transaction of other business before uttering their sense on the great present grievance. There was then more gravity and calmness in their language than cogency in their argument. After expressing their grief at the governor's imputation, "so very dishonorable to them," of being "influenced by the people in Boston," and declaring their persuasion that "the reasons that prevailed with them to determine as they had, would go with them, guide and influence them everywhere," they proceeded to complain of what was "so very grievous to them, and hurtful to the province, as the removal of the Great and General Court from Boston."

The charter had given to "the governor for the time being full power and authority from time to time to adjourn, prorogue, and dissolve all Great and General Courts and Assemblies," and besides the prescribed yearly General Court of Election, courts were "to be held at such other times as the governor should think fit and appoint." Nothing was said in the charter of the place of meeting, and the argument would have been plausible, at least, that no power short of that of the whole government could designate any place other than the ancient and customary one, where the public records were kept. But the Representatives went further. They urged that an Act, confirmed by the royal approbation, for "establishing the form of the writ and precept for

calling a Great and General Court or Assembly" had "determined the town-house in Boston to be the only place for convening, holding, and keeping Great and General Courts or Assemblies"; and they represented that a few years before, when Governor Shute, with the advice of 1721. his counsellors, had transferred the General Court to Cambridge, on account of the small-pox then raging in Boston, he had assented to votes of the whole Court giving validity to the proceeding in those new circumstances, and guarding against this act of the governor being drawn into precedent. They had now given the governor an advantage. He told them very justly that the words in the writ were "to be understood by way of instance or example only," and no more determined Boston to be the only lawful place for holding General Courts than the appointed forms of precepts for the election of Representatives, which expressed the name of no other county but Suffolk, determined Suffolk to be the only county that could lawfully be represented. And he reminded them of the order in Council, passed in conformity with the opinion of the King's Attorney-General and Solicitor-General on the former occasion when the question was raised, to the effect "that the sole power of dissolving, proroguing, or adjourning the General Court or Assembly, either as to time or place, is in his Majesty's governor."

Recurring to the main question, he asked, "If

the settling of the salary of a governor be not just and equitable, how came it to be just to settle the wages of the Council and Representatives, as had been lately done, by law? Would it not have been better to have waited till each session was over to see how much every member of either House might deserve by voting with the majority, and to allow them wages in that case only?" Their desire to return to Boston, and their persistence in the same views which they entertained there, only satisfied him still more that Boston was not a safe place for him to trust them in. "If your thoughts are still the same that they were at Boston, it only proves how deep impressions were made upon you there, which I shall continue to hope will be removed in time."

Nov. 22. The Representatives, satisfied by this time that the governor was inflexible, turned to the King. In a respectful Memorial, comprising a repetition of arguments grown familiar in this controversy, they justified their not having accommodated themselves to the royal instruction. They described the ample liberality of their grants to the governor, and explained, on the other hand, that in the course of his administration they had had no encouragement to change their sentiments as to a permanent salary "from any grounds or reasons for special confidence in him; but the treatment they had met with in the methods that had been used

to bring them into a stated salary had tended to confirm and abundantly strengthen them in their first determination." The governor asked for a copy of this Memorial. The House, after debate, refused it. The House voted to instruct the treasurer to remit a hundred pounds sterling to Francis Wilks of London, "to enable him to serve the interest of the province in the affair of the humble Address the House have prepared." The Council unanimously declined to consent to this appropriation, "for that the Address of the House to his Majesty not having been communicated to this Board, they cannot judge whether it be for the interest of the province or no," and also because Mr. Wilks was to be only the agent of the House. Mr. Belcher, who was about to embark for England, was then desired by a vote of the House to co-operate with Mr. Wilks in endeavors to obtain the King's favorable reception of the Memorial.

This movement had one good effect, which had probably been contemplated, though no purpose of the kind was avowed. It furnished the governor with an excuse to himself for releasing the Legislature from its five months' imprisonment. For many successive days the only record on the Council's journal is that there was "no business before the Board." The House would prepare none for them until the Council should concur in their protest against the governor's removal of the Court to Salem, which the Council steadily

refused to do. The governor had offensively said that he could not be so unkind as to dismiss the Court, because a prorogation would put it out of their power to set themselves right by compliance with the King's instruction. But now that they had directly approached the King with the assurance that no such compliance was to be expected from them, there was an end to that pretence, and they were prorogued for three months,

Dec. 22. to meet again at Salem. The governor

1729. wrote to England that he had been re-

Jan. 24. luctantly "prevailed upon by friends in the Assembly, whose affairs suffered very much, to give them a recess before Christmas. As to the fixing of a salary," he said, "I have no expectation to succeed in it, till a censure of Parliament is passed."

He had now become angry. He wrote to the Duke of Newcastle: "I have seen so much

March 31. of the temper of the people of this province that I humbly conceive that some of his Majesty's forces upon the British establishment will be necessary to keep them within the bounds of their duty"; and he urged upon the Board of Trade the expediency of sending over at least two companies of a hundred men each, and making him captain of one of them. The Privy Council considered the representation, and advised the

May 22. King to lay before Parliament the facts indicating the insubordination of Massachusetts.

The governor was all this while embarrassed for

the means of living. He was resolved that he would not take the public money except on his own terms. The Representatives were resolved that he should not have it except on theirs. He resorted to a measure which would have occasioned much more outcry, if personally he had been less liked, and if the more material controversy which was pending had not absorbed attention. In his former government of New York he had been accustomed to receive fees for passes given to vessels cleared at the custom-house. It was complained of in England, and he was instructed to discontinue it. But it does not seem to have occasioned any violent crimination; and in Massachusetts he had resumed the practice, and had raised the fees till they yielded him a considerable revenue.

April 2. The governor's speech at the beginning of the next session referred briefly to some matters of inconsiderable importance, but the topic with which it began and closed was that which had caused the warm discussion of the preceding year. "All proposals to me," he said, "to deviate from my royal master's commands will be vain and fruitless, and, as I kept you together in the fall that you might avoid his Majesty's displeasure, till you put it out of my power to excuse you by sending home a declaration that must have been highly offensive to him, so now I give you an opportunity which this House of Representatives will never have again,

of retracting and retrieving so unhappy measures."

April 4. The House, after debate, voted that they would not "come into any further consideration of settling a salary on the governor at

April 10. this present session." They directed the treasurer to remit three hundred pounds to Mr. Wilks and Mr. Belcher to recompense their services in the matter of the Address. The Council refused, for the same reasons as before, to

April 11. concur in this larger appropriation, and they complained that in the Address, of which they had only obtained a sight several months after its transmission, they found a statement, which they considered "partial, not to say unfair," that the House "had the concurrence of the Council in their conclusion, not to settle or fix a salary on the governor." The failure to obtain money from the treasury for the purposes of the Address was made up by a voluntary contribution of merchants and others of Boston, whom the House engaged to "use their utmost

April 16. endeavor" to reimburse "in all convenient time." In messages which passed be-

April 17, 18. tween the two branches, vindicating with some asperity the proceedings had by them respectively, the House, by the citation of a precedent of Lieutenant-Governor Dummer's time, defended its course in respect to the appointment and remuneration of agents of its own, and to the withholding of their instructions from the

knowledge of the Council, while the Council maintained that, inasmuch as they had "declared their readiness to come into a salary to the present governor for a limited time . . . . . the Honorable House in their Address ought not to have represented the Council as concurring with them, ... but ought in justice either to have left the Board unmentioned, or . . . . . to have stated the matter in its true light."

"For the more sure guidance and direction of his Majesty's good subjects here, if that affair should be brought for further consideration before the General Court," the House directed the members from Boston to compile and publish a collection of instructions from the crown to the governors respecting the establishment of a salary, and of all proceedings which had been had upon that subject since the grant of the existing charter; and the volume, consisting of a hundred and twelve pages, in small quarto size, was published in the same year. The term of the Court was near to expiring. The governor dissolved it without having given his approval to the resolves which had been passed for its pay. "It may justly appear doubtful," he said, in his message, "whether the towns ought to bear an expense, the sole end of which was defeated; . . . . . and since you would not come into any further consideration of settling a salary on the governor at this present session, I think you cannot wonder that I should

April 17.

April 18.

defer the consideration of your allowances in the same manner." He communicated an extract from a letter from the Board of Trade, applauding his "prudence and integrity in declining to accept of money from the Assembly upon any terms different from those enjoined by the instructions"; and he concluded with an assurance of the satisfaction he had in thinking that in the approaching annual election "the country would have an opportunity, by a new choice, of showing their duty and loyalty to his Majesty, as well as their faithfulness to their own Constitution."

Of course, the governor did not expect this to be taken as sincere. At all events, the character of the new House, which also, agreeably to the writ, came together at Salem, was the same as that of the last. Its vote for Counsellors did not however express the resentment which would have been not unnatural. Only four new members were chosen to that Board, of whom two, Jonathan Belcher, the House's agent in England, and Isaac Little, were rejected by the governor. The formal business of the opening of the legislative year having been transacted in two days, the Court was prorogued to the following month, when the House began the session by opening another question. It proposed to go into convention with the Council for the choice of an Attorney-General. The Council replied that it was not at liberty to

May 28.

June 25 – July 10.

do so, a royal instruction to the governor having declared that that officer must be appointed by the executive department. The House appealed to a precedent of the time of Governor Shute, when the Council, after setting up this pretension, had on further reflection abandoned it. But the Council now persevered; and with their advice and consent, Paul Dudley, who had held the office by annual elections of the Court, was reappointed to it by the governor. The two Houses concurred in a vote to issue twenty thousand pounds in bills of credit to meet the current expenses of the government; but the governor refused his consent. 1715. July 3.

The Representatives prayed him to issue his warrant for the payment of their predecessors who had served in the last House. The law, they said, prescribed no such condition of the remuneration of Representatives as that of "their being always of the same sentiments with the governor." But they could get nothing from him beyond the answer that "he should lay the matter before the Lords of Trade, and take their directions therein." They were engaged in a discussion as to a grant to be made to the governor, when, after a fortnight's session, the Court was again prorogued, to meet again at Salem. At neither of these sessions had the governor resumed the application for a salary. He was awaiting intelligence of the action of the King's Privy Council upon the Address which had been

sent by the House. As soon as he had parted with the Court, he wrote to the Lords of Trade: "The principles of independency are too deeply rooted in them to be managed by anything but the Legislature of Great Britain."

July 19.

He was ready, at the next meeting of the Court, to acquaint them with the action of the Privy Council, premising that, till he should be informed of it, he had purposely abstained from presenting the question respecting salaries to the present House, in order that they "might remain free and unconstrained from any share in the dispute." He now informed them that, after hearing the agents of the House by counsel and the law officers of the crown in reply, the Privy Council, with expressions of their high approbation of his perseverance, and with a reassertion of their judgment that the governor of Massachusetts should have a permanent annual salary of a thousand pounds, had advised the King "to lay the whole matter before the Parliament of Great Britain." The House, however, at the same time, received information from the agents — which, to keep up the public spirit, they immediately published — to the effect that the reference to Parliament was not likely to be made. The agents had probably discovered that resolute reluctance of Sir Robert Walpole to meddle with the colonial administration, which was so characteristic of the instinctive wisdom of that clear-sighted statesman.

Aug. 20.

May 22.

The House again, in the same terms as before, passed its resolve for the emission of bills of credit, to the amount of twenty thousand pounds, to meet the charges of the government. The Council amended the resolve so as to clear it from that claim on the part of the House which had been before a subject of dispute. The House refused to concur in the amendment, and again the measure fell to the ground. The Council by a unanimous vote refused to accede to a grant of five hundred pounds made by the House to its agents in England. In a calm and respectful message the House expressed to the governor its approval of the position taken by the last House respecting the great question of salaries, and the governor immediately resorted to another measure of coercion, adjourning the Court to meet after four days at Cambridge. Aug. 22. Aug. 23.

The further dispute was to be of no long duration. Of course the House met in no more manageable mood, when, for the gratification, as it seemed, of the governor's passion, or for a harsher trial of his power, it found itself in a second unusual place. But it did not overlook the advantage of proceeding with dignity in a quarrel with an angry man. It now made a grant to him of six thousand pounds "for his support the last year, and further to enable him to manage the affairs of government." "If you will not comply," he said to the Repre- Aug. 27.

sentatives, "with his Majesty's instruction, you might at least forbear your endeavor to seduce one of his servants from his declared duty"; and in his ill-temper he warned them against adjourning themselves, as they had done, "from Saturday morning to Tuesday afternoon," and threatened to bring to the notice of Parliament this unauthorized extension of their right by charter

Aug. 30. to adjourn themselves for forty-eight hours. They answered his refusal of their money with an argument to which the frequent previous repetition of it now left nothing to be added.

Aug. 31. The next day, as he came towards the ferry from Cambridge on his way to Boston, his carriage overset, and he was thrown into the water. A fever followed, and he

Sept. 7. died at the end of the week, having first, however, sent to the House from his sick-chamber

Sept. 2. a very long vindication of his own proceedings and claims, accompanied with a strain of equally confident condemnation of the opposition which had distressed and baffled him. The Court, which had little fault to find with him, except for his stubborn fidelity to a claim opposed by themselves with as stubborn resistance, and which could not be unimpressed by his generous and manly qualities and by his various accom-

Sept. 12. plishments, honored him by a costly funeral.

Sept. 10. Appearing at the Council Board, from which he had been absent since the third

day after Burnet assumed the government, Lieutenant-Governor Dummer adjourned the Court for a week. His speech at its meeting briefly declared his good intentions towards the province, and referred to the obligation which his instructions imposed to ask for a stated salary. The House repeated, in the same terms as before, its vote to supply the treasury by an issue of twenty thousand pounds in bills of credit. The Council amended the vote. The House refused to accept the amendment, and the Council to recede from it. With the now familiar arguments, the House replied to the lieutenant-governor's demand for a salary; the lieutenant-governor justified it, and the House criticised his plea. But the other point, to which up to this time they had adhered with equal obstinacy, they now surrendered. The inconvenience of a suspension of payments from the treasury was too great to be longer borne; and the House had become discouraged as to carrying their point in respect to the form of the grant. The necessary supply was now granted in the manner which had been practised before the last year of Governor Shute; that is, subject to be drawn from the treasury by the governor's warrant without a subsequent action of the Legislature upon each payment. The Court, having sat a week, was prorogued to come together again at Boston, the Council having first repeated their refusal to

Sept. 17.

Sept. 18.

Sept. 23.

Sept. 24.

Sept. 26.

make an allowance for the remuneration of the House's agents in England.

Nov. 19–Dec. 20. In the next session, of a month's duration, the standing topics of dispute were again treated, but it was with no novelty of discussion, and nothing beyond routine business was accomplished, except that a law was passed relieving Baptists and Quakers from parish taxes. The lieutenant-governor recommended to the House not to waste their time in deliberating about a grant to him, since he must adhere to the instruction to receive none except in a stated salary. To make good their own ground, they went through the form of granting him seven hundred and fifty pounds. The Council still refused to meet the House for the election of an Attorney-General, and to consent to its grants to its agents; and it refused, though earnestly urged, to have a conference with the House on those questions. The House voted to direct the Treasurer to place five hundred pounds at their disposal by paying it into their Speaker's hands; but the Council defeated this plan by an amendment directing the Treasurer to pay the money to Jeremiah Dummer, who in England represented the whole Court. The House, in a single vote, granted three thousand pounds to their agents, and two thousand pounds to the late governor's children. In another they attempted to get their agents paid as for services in

Dec. 19.

Dec. 9.

Dec. 13.

Dec. 15.

calling Burnet to account before the Privy Council for taking illegal fees for the clearance of vessels. But against both devices they found the Council equally inflexible.

At the annual meeting for elections the lieutenant-governor made no reference to the controverted questions. He told the Court that Burnet's practice as to taking fees had been disapproved by the Privy Council, and that Jonathan Belcher, one of the House's agents, was about to return to Massachusetts as governor. The House went through the form of voting nine hundred pounds to the lieutenant-governor, and then, at its request, the Court was prorogued for a month, on account of an alarm of the small-pox in Boston, and of the expectation of the speedy arrival of the new governor.

1730. May 27.

May 30.

CHAPTER VI.

ADMINISTRATION OF BELCHER.

At some time within the first nine years after the immigration of Winthrop's company, Andrew Belcher set up an inn in Cambridge. His son Andrew made a considerable fortune as a merchant, first of Hartford and then of Boston, and was a member of the Council of Massachusetts several years under King William's charter. He married a daughter of Deputy-Governor Danforth. His son Jonathan, after finishing the term of study at Harvard College, travelled abroad, both in England and on the Continent, and, according to a statement in one of his speeches, had an honorable reception at the court of the Elector of Hanover, and of his mother, the Princess Sophia, heiress presumptive to the British crown. Returning home, he followed in his father's steps, becoming a merchant, a Representative in the General Court, and a member of the Council.

1699.

He cannot be said to have had a generous nature, but he had qualities which go far to insure popular regard. His person and presence were graceful and pleasing. He had a cheerful countenance, a hearty voice, a demonstrative

gesticulation, and an habitually affable address. He was a man of society and of the world. He was not troubled, like his differently constituted and differently trained predecessor, with pride and obstinacy about points of honor. The maxims of his earlier profession kept their hold on his experienced mind. He brought into politics some habits of trade. When satisfied that he could not get what he wanted unless at an inconvenient price, he accepted with complacent good-nature as much as was to be had. He was no miser. He spent his money with an elegant liberality. Especially was his purse freely opened when it might buy large returns of praise and consequence.

He was known for years as a friend of high prerogative principles in the government. Great surprise was felt when, at the height of the quarrel with Burnet about a stated salary, it became known that Belcher had embraced the popular pretension. The House made him one of its agents in England to enforce that doctrine on the Court, and in England he remained and persevered, though the Provincial Council steadily refused its consent to his being paid. There the news of the death of Burnet found him, and another not less unexpected change in his position forthwith took place. Lord Townshend's quarrel with Walpole had more than begun, and each of the rivals wished to avoid strong measures which might offer an advantage to the other.

Wilks, Belcher's colleague in the agency, persuaded Townshend that Belcher, if anybody, could manage the turbulent Representatives of Massachusetts. It was thought that the popular branch in the Legislature which had so lately chosen him to be agent could not fail to welcome him as governor, and to be accessible to his persuasions; and, on the other hand, he volunteered satisfactory assurances to the Ministry of his determination to desert the popular cause. He assured the Duke of Newcastle that there was no reason "to entertain a thought to his prejudice on the score of the station he lately sustained; no one," he said, "shall be more tender of the honor and dignity of the crown, nor more industrious to promote the interest of the mother kingdom." Shute, whose appointment Belcher had aided by a contribution of money fifteen years before, now repaid the boon by his good offices. Belcher was made governor of New Hampshire as well as of Massachusetts.

1729. Dec. 31.

Dummer was not continued as lieutenant-governor. At the instance of Wilks, who had established some claim upon favor, perhaps by his negligent execution of his trust from the Representatives, the place was restored to William Tailer, who fifteen years before had served in it under Shute. Tailer had lately held the Naval Office, a position of more emolument. Wilks, wanting it for a friend, made the other arrangement for Tailer, as a partial compensation for his loss.

Belcher helped his associate in the agency in making this transfer. Avowing his preference for Tailer, he solicited of the Duke the "favor always allowed to the King's governors, to be made easy in their lieutenant-governors." March 30.

Tailer, who was on the spot, and who had received his commission, met the General Court at the time to which it was prorogued, before Belcher's arrival. He told them that he should propose nothing but business of routine, but he did at once a generous act by approving a grant made by the House to Dummer, from which Dummer, under his instruction, had withheld his approval, and which would otherwise have lapsed. The Court sat but three days, and it was not till after four successive prorogations that they came into the presence of their new compatriot ruler. 1730. June 30. July 3.

In his inaugural speech he exhorted them to be watchful for the interests of religion, and tolerantly regardful of the rights of conscience; to attend to the condition of the Indians, of trade and currency, and of the fortifications, which were not to be neglected, notwithstanding the peace lately made with Spain; to protect the King's rights in the woods and in naval munitions; and to maintain the contested boundary of Massachusetts on the side of New Hampshire. In the circumstances, his utterance on the subject of the governor's salary, which he Sept. 9.

had lately been sent abroad to plead against, could not but be awaited with curiosity. He said that, according to the royal instruction which had been renewed to him, he must demand and expect from the Court a stated annual allowance of a thousand pounds. In his management of this delicate matter he probably gave himself credit for a dexterity which on the other part was not ascribed to it. He told the House that, having manifested, in their past course, the courage and persistence exemplified by Cato till the crisis at Utica, they certainly would not think of imitating the Roman further to the point of his self-destructive obstinacy. The Representatives thought the governor's reasoning was the worse for this indulgence of his rhetoric. If their course hitherto had been as just and magnanimous as he implied it to have been, it was fit to be persevered in, at least till perseverance was shown to be attended with more danger than as yet appeared.

The instruction to Belcher was in terms more peremptory than had been employed before in the same connection. If the salary should not "be forthwith fixed by law, his Majesty," it was said, "will find himself under a necessity of laying the undutiful behavior of the province before the Legislature of Great Britain, not only in this single instance, but in many others of the same nature and tendency, whereby it manifestly appears that this Assembly, for some years last past,

have attempted by unwarrantable practices to weaken if not cast off the obedience they owe to the crown, and the dependence which all colonies ought to have on their mother country." The demand was announced to be "the last signification of the royal pleasure to them upon this subject"; and, should it not be complied with, "it is our will and pleasure, and you are required," so wrote the Council in the King's name, "immediately to come over to this Kingdom of Great Britain, in order to give us an exact account of all that shall have passed upon this subject, that we may lay the same before our Parliament."

But it was not the governor alone who knew what was passing in England. The popular leaders also had good sources of information, and on the whole their opinion was that, in the existing state of English parties, and of the mutual jealousies among great men, the danger of an attack in Parliament upon the province was not imminent, and that the displeasure of the Privy Council might probably be exhausted in threats. They had reason to believe that by persons more powerful than those who constituted the well-informed and officious Board of Trade the zeal of that body was rather feared than encouraged, and that the Privy Council, though it could do no less than echo the complaints of the Board, would not be disposed, or would not be suffered, to embarrass the existing party relations by forcing into Parliament a question susceptible of uses which

could not be calculated. And in the last resort they judged that, if the question must be decided against them, it might be better that it should be so decided by Parliamentary usurpation than by their voluntary surrender.

Sept. 21. In a message to the Council, the House made known its inflexible resolution on the subject. The Council, after taking time for consideration, proposed to the House to join

Oct. 1. them in an engagement to pay to the present governor a fixed salary as long as he should fill the office. But neither to this arrange-

Oct. 2. ment would the House consent. A conference between the two branches effected nothing. The governor made them a speech, and, quoting certain recommendations respecting the colony which seven years before had been addressed by the Board of Trade to the Lords Justices of England, warned them of the probability that the government would have recourse to the vigorous measures therein indicated. The

Oct. 3. House asked for an adjournment of the Court. The governor refused it; adopting the pert language of his predecessor, he said that he could not do them such a wrong as to put it out of their power to show their duty to the King in the way which he had pointed out. Three or four weeks passed, and they showed no sign of

Oct. 28. yielding. He called on the Council to advise him, on their oaths, whether it would be for the King's interest that he should dissolve

the Court. The Council unanimously advised against a dissolution, and he ordered a prorogation for seven weeks, to give the Representatives opportunity to take the better sense of their constituents. When they next met, Dec 16. he touched the disputed question lightly, expressing little besides the hope that they had now come together "with good and dutiful inclinations to the King." If they had, they were not prepared to express those inclinations in the way that he desired. Again he treated the Dec. 29. argument at large, adding that he "did not intend to give them any further trouble." They informed him in positive terms that 1731. their minds were made up upon the sub- Jan. 1. ject. He dissolved them with an angry Jan. 2. rebuke, and ordered writs for a new election.

On the main question the new Court Feb. 10. proved no more tractable than the old, and their constancy showed the way to a termination of the quarrel. The governor began to be incommoded by the want of money. The House desired that he should have it, but would give it him on none but their own conditions. The House proposed, and the Council agreed, April 1. that the two bodies should unite in a Memorial to the King to permit the governor to accept their temporary grants, as had been done by his predecessors. That their course was not prompted by motives of parsimony, they had taken care to show by generous gifts to the gov-

ernor (which there was no obstacle to his accepting) for his services as agent in England, and for defraying the expenses of his voyage. The perseverance of the House prevailed to carry this important point so long and obstinately contested. For three successive years the governor received permission from England to accept the annual grant of the General Court, accompanied with an order to urge the demand for a stated allowance. At length, however, the unavailing claim was definitively disused, and the governor was allowed permanently to take his money in the form in which the Court was willing to make the grant.

1735 August

Politician as the governor was by taste and practice, he addressed himself to the management of the parties, of which he had successively enjoyed and disappointed the confidence in past times. Unmindful of the maxim of the Great Monarch that every appointment to office makes one person ungrateful and ninety-nine angry, he sought to fortify himself by a new distribution of places, assuming that commissions needed to be renewed on each accession of a new governor. After the manner of his tribe, he thought it prudent to attach opponents, and take for granted the continued support of friends. Cooke, the tribune of the time, was made a Judge of the Court of Common Pleas, and, giving some signs at last of sycophancy, lost his popularity, and with it his power. The judicial courts had by

law the appointment of their respective clerks. The governor proposed a person whom he wished to advance as clerk for the county of York. The judges said they were satisfied with the present incumbent. The governor superseded the judges, and so compassed his object. This sort of proceeding was new in Massachusetts, except so far as precedents might be found for it in the administration of Andros. It was odious to the moral sense of the people, and presently fell again into disuse.

Another controversy was in progress at the same time with that respecting a stated salary for the governor. The House revived its old pretension to audit public charges before moneys which had been granted by them should be paid out. The governor would not accede to it. The Court passed money-bills with that condition attached, and he rejected them. The laws for replenishing the treasury expired without renewal, and it was empty. This was a state of things which could not last, for government, to go on, must be paid for; and for the present, till the King's pleasure should be signified after a representation of the case, the House was prevailed upon to appropriate money for specific objects, to be drawn and paid on the governor's warrant, without further action of that body. The governor dissolved the Court on the day when this Act was passed. 1731. April 24.

But it seems that the constituencies were not

pleased with this action of the Court, for the next
May 27. House refused to repeat it. The governor's speech at the beginning of the session was short, as was especially his reference to the vexed question respecting his salary. The reason was that he was expecting the royal consent to his departure from the instruction which he had so positively insisted on; and he received
June. it, accordingly, for the present year.
July 13. An old controversy, revived for a moment by a vote of the House to adjourn itself for three days, brought a sharp rebuke from the governor. The House again made appropriations with their cherished reservation of the right to audit the accounts which were to be discharged, and now the Council acquiesced; but the governor, as before, refused to sign the bill.
July 28. A request of the House to be prorogued
Aug. 25 – Sept. 22. was at first refused, but their importunity
Oct. 6 – Nov. 3. or their inflexibility obtained for them three vacations in the autumn, from neither of
Nov. 9 – Dec. 1. which did they bring back any disposition to yield their point. Argument might seem to have been exhausted, but they had not wearied
1732. of it. For the Representatives to with-
Jan. 20: draw their claim to see for themselves whether the specified charges defrayed from the treasury were honest and reasonable and conformable to their appropriations, would be, they said, "to prostitute the money in the treasury to the unaccountable and consequently uncontrol-

lable will and pleasure of the governor and the major part of seven gentlemen of his Majesty's Council [seven Counsellors being the number prescribed in the charter for a quorum], which is four, and those such as the governor shall pick and choose out of twenty-eight. . . . . If his Majesty's instruction, and not what the General Court judges to be for the good and welfare of the province, must be the rule, we dare not do it, being firmly of opinion that we shall act neither like Englishmen nor rational creatures, to comply with the instruction." The governor replied with copious reasoning and reproof. He then ordered a prorogation of the Court, and did not summon it again.

Feb 2.

He reminded the next Court that there had "not been any money in the treasury for more than twelve months past," and he informed them that the Privy Council had advised the King to adhere to his sixteenth instruction, which limited the issue of Massachusetts bills of credit to the amount of thirty thousand pounds, and to his thirtieth instruction, which disallowed the pretension of the House to audit the public accounts. When the House again justified by an elaborate argument their perseverance in the latter claim, the governor seems to have resolved to make a different experiment. He prorogued them for four months, perhaps thinking that if keeping them inconveniently away from their homes

June 1.

June 9.

June 30.

July 7.

failed of its purpose, as it had done hitherto, the object might be accomplished by compelling them to see for a considerable time that discomfort and annoyance on the part of unpaid public officers, which for the time being they were deprived of the capacity to relieve.

Nov. 2. But if such was the governor's calculation, he was disappointed. When he had made his customary complaint, with the specification that there had now "been no supply for

Nov. 3. eighteen months," only one representative among fifty-seven was found opposed to a vote that a relinquishment of the ground which had been taken "would necessarily tend to destroy the powers and privileges granted to the General Court in and by the royal charter." Another exchange of long messages took place, and a positive refusal on the part of the House to give way. Trying another method, the

Dec 15. Council joined with the House in an Address to the King, praying for his indulgence in the matter, and in another to the House of Commons, soliciting their intercession. The latter measure gave displeasure to the governor, as an insolent attempt at dictation to the crown,

1733. and a prorogation followed for three

Jan. 4. months, which time nearly exhausted the political year.

The next House persisted in its method of granting supplies, attaching to them by a unanimous vote the condition that the governor's war-

rant should not draw money from the treasury to satisfy any claims other than what the House should have examined and approved; and the governor assured them that he never would sign a supply bill to which that condition was attached. The House was at a disadvantage in the controversy. It was the governor who was distressed, when, because a stated salary was denied, he refused to approve a bill granting money for his support; but it was the province on whom the inconvenience fell, when, because of a condition which he would not admit, the governor withheld his signature from a bill for providing the means to pay the salaries of subordinate officers and maintain the other expenses of the province. The last hope of opposition to him was lost when, the treasury having now been empty two years, intelligence came that the application for indulgence had been unfavorably received both by the King in Council and by the House of Commons. June 6. June 14.

The House thereupon asked the governor to issue his proclamation for a day of prayer and fasting, because of the province being "under the manifest token of the Divine displeasure." But he did not see the exigency in that light. In fact, the House was helpless. There must be money in the treasury to meet current expenses, or the machinery of government would come to a stop. There was no way to place it there, except by the governor's consent. It was clear that he

had made up his mind not to yield to the conditions insisted on by the House, and that his superiors in England were equally determined. When the Court came together again in the autumn, the House first expressed its feelings, and then submitted to its defeat. The Representatives rejected by a vote of two to one a bill of supplies divested of the favorite condition, and on the afternoon of the same day, on a reconsideration, passed the same bill by a like majority. The question was not revived at any later time. Practically it was settled. And the other matter of dispute having also been put to rest by the consent of the Ministry to have their governor maintained by grants from year to year, instead of a stated salary, there was a prospect of future harmony in the provincial administration. The prospect was realized; and after a long continuance of harmony and quiet, the governor found himself prompted to express to the Court his satisfaction with their proceedings, in which, he said, "they had so well conformed themselves to the directions of the royal charter, the effect whereof had been a general easiness and satisfaction through the province."

Oct. 16.

1737 March 27 May 28

But two other questions had meanwhile been coming into prominence, — those of the redemption of the bills of credit, and of the boundaries of the province, especially the boundary on the side of New Hampshire. When only five years

remained before the latest time at which, agreeably to the instructions from England, the province's bills were made payable, the House, after "a long while spent in debating," got so far as to resolve that they would lay proportionate taxes in the intervening years; at the same time, however, raising "a committee to prepare the draft of an humble memorial to be presented to the King's most excellent Majesty in Council in the name of the Council and House of Representatives, setting forth the great inconveniences and difficulties his Majesty's good subjects here labor under on account of his Majesty's instruction to his Excellency our governor, forbidding his consent in laying the funds for drawing in the public bills beyond the year 1741, and praying his Majesty of his great grace and favor would please to order the said instruction may he withdrawn" 1736. June 17. June 18.

The position of the question respecting supplies of the treasury by means of bills of credit brought into view another question more fundamental. If the General Court passed a bill for the issue of notes redeemable later than the date, or causing the whole circulation at any one time to exceed the amount, determined by the King in Council, or if the bill was so framed as to go into effect without being first approved in England, the governor disallowed it, pleading his instruction from the King. To the governor, dependent on the King for his office, the King's instruction

was decisive. But not so with the province. Their rights, as well as the King's authority, were sanctioned and maintained by the law of England. The Constitution of England in the first place, and in the second place their charter, defined and limited the King's power over them. The King, through the official action of his creature, the governor, or otherwise, might embarrass and thwart them as to the exercise of their rights; but the mere fact that the King by his instructions set his governor on work of this kind, was no reason why they should not resist and protect themselves, as best they might, by appeals to that law of England which was above even the King. Since the governor's continuance in office depended on the royal will, it might be supposed that he would not venture to violate the royal command. As long as the governor's living, while in office, depended on the people's will, it might be supposed that he would interest himself to prevent his instructions from oppressing them so much as to provoke them to starve him. And accordingly it had been with the best reason that they had persisted in that refusal to provide for the governor otherwise than by annual grants which at last they had established in practice. It was the same policy that the Parliament of England had adopted towards King Charles the First.

Repeatedly, to the very end of Governor Belcher's administration, the House persisted in

passing supply bills in terms disallowed by the royal instructions, and as often the governor withheld his signature. The finances of the province were in an extremely discouraging condition. The temptation to make a fictitious currency, and to defer the times for payment, was such as in like circumstances is always felt in prodigious strength. However doubtful the legal right of the British government to interfere, there is no doubt of the disastrous tendency of the course which the province was disposed to pursue.

To follow, step by step, the course of the dispute respecting financial affairs between the governor and the Representatives, would be to weary the reader with a recital of intricate and dull details. The year of settlement, when a debt of thirty or forty thousand pounds was to be paid by the province in sterling money, was looked forward to with increasing dismay as it drew near. The flood of paper circulation in Massachusetts was increased to a deluge by the still more inconsiderate profuseness of a neighboring community. Rhode Island, with its little population and property, fancied that it enriched itself by the amount of a hundred thousand pounds, when it lent to its inhabitants its promises to pay that sum at the end of twenty years. The notes of Rhode Island came into circulation in Massachusetts. As a measure of partial protection, the merchants of Boston agreed together not to re- 1733.

ceive them, and formed a company, which issued bills to the amount of a hundred and ten thousand pounds, secured by their joint credit, and redeemable, one tenth part every year, in silver at the rate of nineteen shillings the ounce, or the equivalent in gold. But the agreement not to receive the Rhode Island notes was at first violated here and there, and then abandoned. Upon this, silver rose to twenty-seven paper shillings for the ounce, and the merchants' notes, payable at the rate of an ounce of silver for nineteen shillings, were withdrawn from circulation, and hoarded.

The financial chaos suggested a new enterprise, or rather a recurrence to one which had been defeated twenty-five years before. A proposal of Governor Hutchinson, now a Representative, to fund the debt by a loan in England, payable at distant periods, having been found not acceptable,

1740. the plan of a *Land Bank* was again entertained. A company, consisting of some seven hundred or eight hundred persons, was to issue its notes to the amount of a hundred and fifty thousand pounds. The security was to be a mortgage of real estate by each partner to an amount proportioned to the share taken by him in the stock, or a bond with two sufficient sureties; and each partner was to pay annually three per cent interest on the bills borrowed by him, and one twentieth part of the principal, in bills of the company, or in articles of the growth or

manufacture of the province at such rates as should be fixed by the company's directors. The project became a prominent political question, and, what with the numerous voters directly concerned in it and the much greater number who were induced to believe that it would advance their interests, a large majority favorable to it was secured in the House of Representatives.

The governor pronounced himself against it. He said, truly, that it was all delusive and mischievous. With a plausible plea of public advantage, he put in practice against it his system of administrative tactics. The elections of nearly half of the Council and of the Speaker of the House were set aside by him on account of the persons elected being officers and partners in the bank. For the same reason, and even for merely receiving or paying the bills, he displaced numerous office-holders, civil and military. Notwithstanding this resistance of his, — or perhaps the more because of it, — the speculation forced its way, and it was said that paper professing to represent no less than fifty or sixty thousand pounds was issued by the company. On the other hand, some of the best men of the province were so impressed with the dangerous nature of the scheme, that, despairing of protection from any nearer quarter, they went so far as to appeal to the authority of Parliament. An Act of Parliament had been passed at the time of the explosion of the South Sea

1741. May.

1720.

Company, which would be sufficient for the present purpose, if it should be held to be applicable to the colonies; and to settle that question an Act was now made which determined the former law to have been in force in the colonies from the time of its enactment. The Land Bank Company was now caught in its own devices. For not only, according to this law, must the company desist from all further issue of its bills, but each individual member of it was liable, not only for the negotiable value of them, but for the sums at which, according to the stipulation on their face, they were redeemable in silver, with the addition of interest from the time of their being put into circulation.

1739 October. The war between England and Spain, beginning in America with a quarrel between the colonists of Carolina and of Florida, involved the governor of Massachusetts in another altercation with the General Court. A requisition was made upon the province for a thousand men to serve in the expedition against Carthagena under Admiral Vernon. Both the governor and the Court were honestly interested in the enterprise, but they were too much out of humor with each other to proceed harmoniously in means for its execution. The Court insisted that they should only be called upon to provide for the transportation of such troops as should be officered and armed before embarking. The governor urged that the troops ought to sail in the

expectation of having commissions and arms furnished when they should have joined the main force. The Court would not provide for the transportation of men without commanders and without equipments; and the consequence was that only four companies went to sea, of ten which had been enrolled. It was well that anything occurred to lessen the share of Massachusetts in the disaster which followed. Of five hundred of her troops who went to Carthagena only fifty ever saw their homes again.

The reader remembers that Burnet was governor of New Hampshire as well as of Massachusetts. The death of King George the First had dissolved the Assembly of the former province, when, owing to the absence of Governor Shute, it had existed for the extraordinary term of five years. Such a duration of the Legislature without a recurrence to the sense of the people for new elections, was inconsistent with the character of a popular government. An Act for limiting Assemblies to three years received the royal assent, and in the absence of a charter was all that controlled the royal will in respect to the government of the province. A Representative was, by the same law, required to have a freehold estate of three hundred pounds, and an elector to have a freehold estate in the town where he voted, neither voter nor Representative of a town being required to be a resident. Some new arrangements proposed by the House,

1727. Dec. 15.

in relation to the judicial courts, led to disagreements between it and the other branch, which insisted on the continued allowance of appeals in certain cases from the ordinary courts to the governor in Council, a process which had been established under instructions from the King.

1728. The Assembly persisted, and the lieutenant-governor dissolved it. The breach was widened when a Speaker chosen by the next House was disallowed by the lieutenant-governor, — an act which they maintained that he was not competent to do, though he pleaded a royal instruction for his authority. They sent up the name of another Speaker, along with a vote in the nature of a protest. The lieutenant-governor adopted the choice, and condemned the argument. The session proceeded with mutual obstructions and provocations. The House voted an Address to the King, praying for an annexation of the province to Massachusetts. The arrival of the new governor was expected, and it was agreed to send to Boston a joint committee of the two Houses, with the lieutenant-governor, to give him a respectful reception on behalf of the province.

During his short administration, Governor Burnet scarcely saw his province of New Hampshire. For the latter government, as well as for that of Massachusetts, he was instructed to require a stated salary; and with little opposition the Assembly of New Hampshire passed a vote

securing to him for "three years, or during his administration," an annual payment of two hundred pounds sterling, or its equivalent, six hundred pounds in bills of credit, from which amount however one third part was to be taken to be the compensation of the lieutenant-governor.

In the time of Governor Belcher the affairs of New Hampshire were more blended with those of Massachusetts than at any other period of their political separation. His relation to the former province proved signally unfortunate for him. He began his administration by taking offence against Wentworth, the lieutenant-governor, from whom, while the question of his appointment was pending, he had assurances of friendship and support, but who, he was told, had at the same time been making professions of a similar tenor to Shute. He required Wentworth to disavow all claim upon the Assembly for support, 1730 Aug. 28. reducing him to dependence on his own liberality; and he removed the lieutenant-governor's son and son-in-law from lucrative offices.

Wentworth lived but a few months longer. David Dunbar, an Irishman, who had been a colonel in the army, and had served in Spain, was appointed to succeed him, and also to be Surveyor of the King's woods. Dunbar, who was a factious and determined man, had already made himself obnoxious in Massachusetts. Some years before this time, Thomas Coram, a London merchant, who

Went worth's death. Dec. 12.

1718.

had been in New England, had set on foot a scheme for the settlement of lands between Nova Scotia and the Kennebec. Defeated for a while by the exertions of Jeremiah Dummer, agent for Massachusetts, who objected to certain restrictions sought to be imposed upon the fishery, the project was renewed just before the appointment of Belcher to be governor, and thirty men were
1729. Oct. 29. sent from Nova Scotia to the Massachusetts post at Pemaquid. Dunbar came as their commander. Belcher's appointment was a
1730. Feb. 4. source of uneasiness to him. He wrote to the Duke of Newcastle that the rumor of it occasioned much apprehension and displeasure among the members of the Church of England, to which, he said, Belcher was a known enemy.

At the instance of proprietors of land about Pemaquid, who had awaited his arrival for redress, Belcher issued his proclamation enjoining on all inhabitants of that region to remain in their allegiance to the province. Dunbar main-
1729. Dec. 3. tained that "all the lands to the eastward of the river Kennebec were deemed to be Nova Scotia," when it was proposed to settle them, and had accordingly been included in Governor Phillips's commission; and he insisted that the cause of the complaints against him was his having rebuilt the fort at Pemaquid, which Massachusetts had disobediently refused to do. "The people's disowning his Majesty's sovereignty," he said, "is too notorious." Belcher solicited the

appointment of Henry Sherburne of New Hampshire to be lieutenant-governor of that province as successor to Wentworth. The Board of Trade, after repeated applications, prevailed with the minister to give the place to Dunbar. The objections to him, they said, were so many recommendations, for "every man who [in New England] does his duty to the crown makes himself liable to the ill-will of the people, and therefore stands in need of all the support the government can give him from hence." Dunbar came to Boston, where he demeaned himself with insolence. The question as to Pemaquid was settled by an order of the Privy Council, made on a representation of proprietors of the eastern lands. The jurisdiction was declared to be in Massachusetts. Dunbar withdrew, and a Massachusetts garrison was placed in the fort.

1730. Dec. 15. 1731. Feb. 10. March 5.

When Dunbar came to New Hampshire, he did not delay to fan the flame which he found kindling against the governor. He began his administration by setting up the claim, as old as Dudley's day, that the lieutenant-governor was chief magistrate of New Hampshire during the absence in Massachusetts of the governor of both provinces. He was by this time so infuriated as to charge Belcher with intercepting his letters, and even with opening and publishing a letter to him from his wife. In a memorial to which he obtained the signa-

July 10. July 19.

July 10. tures of fifteen persons, the King was solicited to discharge Belcher from his place. A counter-memorial followed, with no fewer than a hundred names. Though the former failed to accomplish its specific design, it was not without effect to strengthen the party in opposition to the governor, and to embarrass his administration. The Board of Trade brought persons disaffected to him into his Council, notwithstanding his remonstrances against them by name; and his appointments to administrative offices were sometimes overruled, and other selections made, in England. There appeared reason to think that a jealousy of him had been created there which dictated the organization of a watch over him on the spot.

After three years' experience of uncomfortable
1734. association with Dunbar, the governor
Feb. 18. made urgent but fruitless request to the
May 5. minister for his dismissal. Among other things, he said that the condition of the treasury of New Hampshire, which had been empty "near three years," was owing to Dunbar's perverseness. The character of their relations appears from the governor's informing his
May 2. subordinate: "Had you not assumed in yours of September that the trembling in your hand did n't come by hard drinking, I should have thought yours of April had been wrote over a hearty bottle." Belcher went to New Hampshire, and dissolved the Assembly which Dunbar

was holding. He found them still impracticable as to a supply of money, and "the source of it all," he wrote to the duke, "is from the lieutenant-governor and his few adherents." In the existing unsatisfactory state of things the old desire for annexation to Massachusetts unavoidably reappeared; and an urgent petition was presented to the King praying that New Hampshire might be "joined to the Massachusetts Bay as part of the province." At the end of the sixth year of his administration, Belcher said to the Assembly: "There has been no supply of the treasury for five years past, and there is now due from this province between four and five thousand pounds." At last Dunbar went to England, and thereupon Belcher went to New Hampshire, where he found the Assembly in a more wholesome state of mind. He wrote to the minister that "after an obstinate refusal for six years" they had resolved to raise money for the public charges; adding that the public business would always have been carried on "with decency and good order . . . . . had the province been so happy as never to have seen Colonel Dunbar." And he renewed the request for Henry Sherburne to succeed to the place.

Nov. 26. 1736. May 12. 1737. Jan. 1. May 13.

The material issue which divided parties in New Hampshire related to the continuance of the independence of that government. The friends of Belcher desired a return to the old state

of things in a complete political union of New Hampshire with Massachusetts. The governor naturally desired this union, as it would have brought just so much addition to his consequence; but it would not do for him to avow his wish to his masters in England, as the merging of New Hampshire in chartered Massachusetts would have been the loss of a sphere for the exertion of unrestricted prerogative.

The other party desired not only that New Hampshire should remain a separate province, but that it should attain a still further degree of independence, by ceasing to have, as it had had for nearly forty years, the same governor as Massachusetts. A practical difficulty in their way was the incapacity of New Hampshire to provide for its expenses, by reason of its poverty and its narrow limits. And this made the establishment of the yet unsettled boundary of that province a main element in the controversy. According to the extent which should be assigned to it, and the amount of public lands which should prove to be at its disposal, the prospect of the unionists or of the separatists would brighten.

The governor was instructed to obtain a settlement of the boundary by agreement between the two provinces. Commissioners representing the parties accordingly met, but could come to no determination. The Representatives of New Hampshire, impatient and offended, resolved, though without the consent of the Coun-

1731. Sept. 21.

cil, to make their suit to the King. They sent over an agent, who, not being disposed to remain, left his business there in the hands of one John Tomlinson, a capable and energetic merchant of London. Both parties kept up an active correspondence with the mother country, each party, and especially the respective heads of each, representing their opponents in the most unfavorable light, and the agents also being equally assiduous to justify and propagate the resentments of their principals. Dunbar, worsted in the local disputes, withdrew, and nursed his rage for nearly two years at Pemaquid. He got into difficulty in the execution of his office of Surveyor of the Woods, and complained bitterly that in the support of his authority the governor was remiss and hypocritical. He had come to entertain a hope of being appointed governor of New Hampshire, and his visit to England was made with a view to that promotion. If, in respect to personal comfort, his absence was a relief to Belcher, it was the transfer of a persevering foe to a scene of greater efficiency. Belcher understood this, and wrote to the duke that Dunbar had gone to England to make interest against him. In fact, Dunbar had scarcely reached that country when he joined with the agent Tomlinson and others in a Memorial to the duke for Belcher's removal. And the representation was warmly supported by the Board of Trade.

1737.

May 13.

July.

July 20.

The settlement of the northern boundary line of Massachusetts was involved in endless complications. Did the charter of William and Mary renew the grant of territory contained in the charter of Charles the First? If it did not, what territory did it grant? If it did, at what point, on or near Merrimack River, and on or near the Atlantic Ocean, was the line to begin, which, produced westwardly as far as to the South Sea, or as far as to other possessions of the British Crown, was to make the northern boundary of Massachusetts through the greater part of its extent? The settlement of those questions would determine the southern boundary of New Hampshire. Where was the northern boundary line of that province? By the patent to Mason it was to run up Piscataqua River "to the furthest head thereof, and from thence northwestwards, untill threescore miles be finished from the first entrance." At what precise angle was this line to run, the language of the patent being that the direction should be "northwesterly"?

Agreeably to the advice of the Crown law-officers to the Board of Trade, and of the Board of Trade to the Privy Council, a commission composed of twenty Counsellors of New York, New Jersey, Rhode Island, and Nova Scotia was appointed to adjudicate these questions; and to them the conflicting colonies were directed to submit their respective claims. At the day appointed for the hearing, eight

1737. Feb. 9.

Aug. 1.

commissioners, five coming from Rhode Island and three from Nova Scotia, met at Hampton, in New Hampshire. Waldron, secretary of that province, and Eleazar Russell, sheriff of Rockingham County, appeared with the demand of New Hampshire, which was to the effect that a line running westward from a point on the Atlantic Ocean, three miles north of the middle of the channel of Merrimack River, should be established as the southern boundary of New Hampshire, and that the line defining the northern boundary of that province should be drawn from the ocean up Piscataqua and Newichwannock [Salmon Falls] Rivers, and from the head of the latter "northwestward, — that is *north, less than a quarter of a point westwardly*, as far as the British dominion extends." On the part of Massachusetts, the claim was that the southern boundary of New Hampshire should be a line running from the sea parallel with the left bank of the Merrimack, and three miles distant from it to "the crotch or parting of the river" (where is now Bristol, and where, according to the interpretation of the time, the name *Merrimack* ceased to be applied), and thence westerly to the South Sea; and that the line making the northern boundary of New Hampshire, and dividing it from the Massachusetts county of York, should run due northwest till it reached a point one hundred and twenty miles distant from the mouth of the Piscataqua. New Hampshire had hitherto

been understood by the government and people of Massachusetts to be enclosed within and bounded by their territory (of which Maine was a part) on all sides, except at the point where the river Piscataqua flows into the sea.

While the commissioners, who had been joined by Philip Livingston, of New York, were sitting, the Legislatures of the two provinces were brought by the governor, for the purpose of convenient conference, within five miles of each other, the one being adjourned to Hampton Falls, the other to Salisbury. The boundary between New Hampshire and Maine the commissioners determined to be a line running up the Piscataqua and Salmon Falls Rivers, and in a direction "north, two degrees westerly," from the source of the latter to a distance of one hundred and twenty miles from the mouth of the Piscataqua. Whether the provincial charter granted all the lands conveyed by the charter of Charles the First, was a question which, finding themselves unable to resolve, they referred back to the King's Privy Council. If it was to be so construed, then they adjudged that the western direction of that southern line of New Hampshire, which ran to the South Sea, was to begin at the confluence of the Pemigewasset with the Merrimack (where is now the town of Bristol). If otherwise, then that line should be drawn due west from a point on the coast three miles north of the river Merrimack.

As soon as there was time to digest their astonishment at this prodigiously capricious award, both parties took measures for an appeal to the King, the movement for New Hampshire, however, being made only by the Representatives, without the concurrence of the Council. Edmund Quincy, who was sent to England to prosecute the claim of Massachusetts, died presently after his arrival. Wilks, the agent of that province, was no match in skill or activity for Tomlinson, who represented New Hampshire, and who was himself aided by a cunning and unscrupulous attorney of the name of Parris, whose papers contain curious developments of the way in which the business was conducted. All sorts of influences were set to work to bias the decision. Belcher's private interest in it was dwelt upon, to destroy the effect of his official representations. The lands, the possession of which would be determined by the direction of the northern boundary line, were covered with valuable timber, which the government was concerned to withhold from the control of Massachusetts. Dunbar increased the sensibility upon this subject by his stories of the obstructions he had met with in the execution of his office of Surveyor of the Woods. Parris warmly represented the danger to which "the poor, little, loyal, distressed province of New Hampshire" was exposed from the rapacity of "the vast, opulent, overgrown province of Massachusetts." The Privy

Council cut the knot by a decree of the most extraordinary kind, which, abandoning the interpretation of the charters, established an arbitrary line. For the northern boundary of New Hampshire the award of the commissioners was adopted; and it was determined that "the northern boundary of Massachusetts should be a curved line, pursuing the course of Merrimack River at three miles' distance, on the north side thereof, beginning at the Atlantic Ocean, and ending at a point due north of Pawtucket Falls, and a straight line drawn from thence due west." Thus not only was Massachusetts shorn of much more territory than the preposterous decree of the commissioners had taken from her; she had to yield to New Hampshire seven hundred square miles (much of it settled country), to no part of which had New Hampshire ever set up a pretension.

Governor Belcher's relation to this controversy had so brought him under the displeasure of excited parties as to become one of the main causes which rendered his position insecure, and finally displaced him from it. An extraordinary grant of eight hundred pounds, made to him by the General Court of Massachusetts while the dispute was pending, was construed into a corrupt arrangement for engaging him on their side, and was so represented to the men in power in England. Nor was it surprising that one who had so notoriously bribed others with office should be

supposed capable of being himself bribed with money. But his removal was brought about by methods only so far connected with the policy of his administration, as it was this policy which set in motion against him the activity of unscrupulous partisans. The First Lord of the Admiralty received a letter with the signatures, afterwards ascertained to be counterfeited, of five persons purporting to be inhabitants of Exeter, informing him that the governor had connived at the alienation of pine-trees fit for masts for the navy. Another letter to Mr. Holden, head of the dissenters in England, informed him that Belcher was engaged with the Episcopal interest in Boston in intrigues against the Congregational church.

It had no signature, the writer pretending that this was withheld for fear of the governor's resentment; but from the style of the superscription, Holden believed it to have come from Dr. Colman. A further unfavorable impression was produced on Holden's mind by the representation of the agent for New Hampshire respecting that grant of eight hundred pounds, which certainly Belcher ought not to have received at such a time. The agent in London of the friends of the Land Bank was Richard Partridge, who had married Belcher's sister, and was also known to have been employed by him in England in his private affairs; and it was whispered in the ear of courtiers that Belcher's profession of hostility to the bank could not be honest, since a person

so related to him was its champion. According to a story, said by Governor Hutchinson to have been told him by the person principally concerned, one Maltby, a zealous dissenter, who influenced the vote of Coventry, from which borough the Duke of Grafton desired to have his son returned to the House of Commons, was assured that Belcher was plotting with the Episcopalians against Congregationalism in Massachusetts, and that the duke would obtain his removal on condition of Lord Euston's getting the seat in Parliament; and the bargain was made and carried out, to the great subsequent annoyance of Maltby, who presently heard the truth as to Belcher's honest adherence to the religion of his fathers. At the same time also came the intelligence that Belcher had disallowed the election of no fewer than thirteen Counsellors, and displaced several subordinate officers on account of their connection with the Land Bank. But the news
1741. came too late. The chalice of his brewing had been commended, with added ingredients, to his own lips.

The general course of Belcher's administration had been advantageous to the province. But his sense of duty was coarse, and his love of it was infirm. He easily yielded to the bad sophistry which teaches that a good end transfers its character to all means which promise to advance it, and had become stained with the baseness to which that doctrine leads. He had been a jobber

in politics; and his enemies, as is natural and customary, followed his example against himself, and pushed it into applications reaching further than he might have been willing to go. Such is apt to be the retribution of men whose easy consciences so welcome artifice that nothing reveals to them the tortuousness of their course, till, by the managers that come next, it is followed out and twisted further for their own defeat and overthrow.

When the injustice of the treatment experienced by Belcher was known at Court, it was desired to make him some compensation, and he was transferred to New Jersey, which province he ruled with success, and with satisfaction to himself and the people, for sixteen years, till his death. He remembered his early home with fondness, and directed that his remains should be brought to Cambridge for burial. It was a meagre life which was brought to an end. Belcher's old age was not cheered by the conscious satisfactions of generous endeavor, nor had he so much as attained, to a large extent, to such rewards as promise to remunerate an ignoble ambition.

1757. Aug. 31.

CHAPTER VII.

"THE GREAT AWAKENING."

A PORTION of the people of New England deplored the departure of what was in their estimation a sort of golden age. Thoughtful and religious men looked back to the time when sublime efforts of adventure and sacrifice had attested the religious earnestness of their fathers, and, comparing it with their own day of absorption in secular interests, of relaxation in ecclesiastical discipline, and of imputed laxness of manners, they mourned that the ancient glory had been dimmed. The contrast made a standing topic of the election sermons preached before the government from year to year, from the time of John Norton down. When military movements miscarried, when harvests failed, when epidemic sickness brought alarm and sorrow, when an earthquake spread consternation, they interpreted the calamity or the portent as a sign of God's displeasure against their backsliding, and appointed fasts to deprecate his wrath, or resorted to the more solemn expedient of convoking synods to ascertain the conditions of reconciliation to the offended Majesty of Heaven.

That religion, so sickly, might be reinvigorated was the constant hope and aim of numbers of reflecting persons. From time to time there would be reports of remarkable success attending the labors of one or another devoted minister. Among such Mr. Solomon Stoddard was distinguished. In his ministry of nearly sixty years at Northampton "he had five harvests, as he called them"; that is, there were five different times at which a large number of persons professed religious convictions, and attached themselves to his church. An earthquake which traversed a considerable part of inhabited New England was interpreted as a Providential admonition, and the ministers of various places, of Boston especially, availed themselves of the terror which it inspired as an instrument of religious effect. The shock was felt just before midnight. "On the next morning a very full assembly met at the North Church [Cotton Mather's] for the proper exercises on so extraordinary an occasion. At five in the evening a crowded concourse assembled at the Old Church [Dr. Chauncy's], and multitudes, unable to get in, immediately flowed to the South [Mr. Prince's], and in a few minutes filled that also. . . . . At Lieutenant-Governor Dummer's motion . . . . . a day of extraordinary fasting and prayer was kept in all the churches in Boston. . . . . The ministers endeavored to set in with this extraordinary and

1680. 1684. 1697. 1713. 1719. 1727. Oct. 29.

awakening work of God in nature, and to preach his word in the most awakening manner"; and "in all the congregations many seemed to be awakened and reformed." But it was not till after the time of the political lull in Governor Belcher's administration, that in any quarter a religious movement took place of sufficient importance to attract wide attention.

Stoddard was succeeded as minister of Northampton by Jonathan Edwards, his grandson. In Edwards's judgment the people were suffering from want of a sufficiently distinct and earnest presentation of Calvinistic doctrine. He preached vehemently on "Justification by Faith" and "God's Absolute Sovereignty." Some of his friends were displeased, not by his doctrine, but by his exciting inferences from it, and would have discouraged him. But with an unimpassioned obstinacy he went on, and soon saw cause to rejoice in the fruit of his labors.

1734. December. "The spirit of God," he writes, "began extraordinarily to set in and wonderfully to work among us; and there were very suddenly, one after another, five or six persons who were to all appearance savingly converted, and some of them wrought upon in a very remarkable manner. . . . . A great and earnest concern about the great things of religion and the eternal world became universal in all parts of the town, and among persons of all degrees and all ages; the noise among the dry bones waxed louder and

louder; all other talk but about spiritual and eternal things was soon thrown by. . . . . Other discourse than of the things of religion would scarcely be tolerated in any company. . . . . There was scarcely a single person in the town, either old or young, that was left unconcerned; so that, in the spring and summer following, the town seemed to be full of the presence of God; it never was so full of love, nor so full of joy, and yet so full of distress, as it was then." 1735.

The people of the towns about "seemed not to know what to make of it; and there were many that scoffed at and ridiculed it, and some compared what was called conversion to certain distempers." But a session of the Supreme Court at Northampton brought numbers of people together there, and "those that came from the neighborhood were for the most part remarkably affected. Many . . . . . went home with wounded hearts, and with those impressions that never wore off till they had hopefully a saving issue. . . . . The same work began evidently to appear and prevail in several other towns in the county." South Hadley, Hadley, Suffield, Sunderland, Deerfield, Hatfield, Springfield, West Springfield, Longmeadow, Northfield, besides many towns in Connecticut, caught the sympathy, and made their large contributions of converts, — as large, Edwards thought, in proportion to their population, as March.

Northampton. Of his own town he wrote: "I hope that more than three hundred souls were savingly brought home to Christ in the space of half a year; how many more I don't guess, and about the same number of males as females. I hope that by far the greater part of persons in the town above sixteen years of age were such as had the saving knowledge of Jesus Christ, and so, by what I heard, I suppose it is in some other places. . . . . So far as I, by looking back, can judge from the particular acquaintance I have had with souls in this work, it appears to me probable to have been at the rate, at least, of four persons in a day, or near thirty in a week, take one with another, for five or six weeks together." About six hundred and twenty came to his communion-table, being nearly all the adults of his congregation. At one communion service a hundred new participants presented themselves; at another, eighty. Among his converts, ten were above sixty years of age, and two above seventy; "near thirty were to appearance so wrought upon, between ten and fourteen years of age; and two between nine and ten, and one of about four years of age."

The excitement, which in Massachusetts had been confined to towns on or near Connecticut River, ceased after about six months. Dr. Colman, of Boston, sent some account of it to England, and, in pursuance of a request from his correspondents there, obtained from Edwards a

detailed description in a long letter, which was published in London by Dr. Watts and Dr. Guise, and from which the facts related above have been taken. The ministers of Boston kept the subject before the public mind. They circulated an edition of Dr. Edwards's letter, and several sermons, which were considered to have been serviceable in the recent movement. Dr. Colman did more. He sent an invitation to George Whitefield to visit New England, and in conjunction with his colleague, William Cooper, prepared a reception for him by publishing a sermon full of laudation of his gifts and graces by Josiah Smith, of South Carolina, prefaced by a eulogistic memoir of their own. Whitefield was now twenty-six years old. A year before he had been ordained a priest of the Church of England. He was at this time on his second visit to America, where his principal business had been the establishing of a hospital for orphans in General Oglethorpe's recently constituted colony of Georgia.

1736. Nov. 26. 1738. 1740.

The marvellous preacher was received in New England with flattering honors. From Charleston, in South Carolina, he came by water to Newport, arriving at that place with the advantage of a favorable change of wind, which, as well as the offer of a hospitable lodging presently made to him by a stranger, he thought to be due to his prayers. In three days he preached six times at Newport to large assemblies. Four

Sept. 14.

miles from Boston he was met on his way by "the governor's son and several other gen-
Sept. 18. tlemen," who had come out to conduct him to that place. On the following day he "was visited by several gentlemen and ministers, and went to the governor's with Esquire Willard, Secretary of the Province, a man fearing God"; after which he "preached to about four thousand people in Dr. Colman's meeting-house, and, as he afterwards was told by several, with great success." The next day he "preached in the morning with much freedom and power to about six thousand hearers, in the Reverend Dr. Sewall's meeting-house," and afterward on the Common to about eight thousand, and again at night to a company which crowded his lodgings. Then came a Sunday, when he had an audience of "about fifteen thousand," not far from three quarters of the whole population of the town.

Whitefield remained ten days in Boston, exerting his prodigious powers of oratory with the same success as had attended them elsewhere. Crowds, listening to him, were dissolved in tears, and "cried out under the word like persons that were really hungering and thirsting after right-
Sept 29- eousness." Then he made a journey of a
Oct. 6. week to the eastward as far as York, preaching to great congregations in all the principal towns on the way. "Though," he writes, "I had rode a hundred and seventy-eight miles, and preached sixteen times, I trust, to the great

benefit of thousands, yet I was not in the least wearied or fatigued." At Hampton he addressed "some thousands in the open air," but "not with so much freedom as usual. The wind was almost too high for him. Some, though not many, were affected." At Portsmouth he had "preached to a polite auditory, and so very unconcerned that he began to question whether he had been preaching to rational or brute creatures." But in a second trial, on his way back, he subdued them, and recovered his self-satisfaction. "Instead of preaching to dead stocks, I had now reason to believe I was preaching to living men. People began to melt soon after I began to pray, and the power increased more and more during the whole sermon. The word seemed to pierce through and through." This success put him in condition, and he "hastened after dinner to Hampton, and preached to some thousands of people with a good deal of life and power." The last day of a week passed at Boston, where he had spoken two or three times every day, he "went with the governor in his coach to the Common, where he preached his farewell sermon to near thirty thousand people." "I have observed," he records, "that I have had greater power than ordinary whenever the governor has been at public worship; a sign this, I hope, that the Most High intends to set him at his right hand."

Oct. 3.

His journal records the impressions which he

carried away from the chief town of America. "Boston is a large, populous place, very wealthy. Has the form kept up, but has lost much of the power of religion. . . . . Ministers and people are obliged to confess that the love of many is waxed cold. Both, for the generality, seem to be too much conformed to the world. There 's much of the pride of life to be seen in their assemblies. Jewels, patches, and gay apparel are commonly worn by the female sex, and even the common people I observe dressed up in the pride of life. And the little infants that were brought to baptism were wrapped up in such fine things, and so much pains taken to dress them, that one would think they were brought thither to be initiated into, rather than renounce, the pomps and vanities of this wicked world." But other things looked more favorably. "One thing Boston is very remarkable for, the external observation of the Sabbath. Men in civil offices have a regard for religion. The governor encourages them, and the ministers and magistrates are more united than in any other place where I have been. I never saw so little scoffing; never had so little opposition. . . . . Boston people are dear to my soul. They were greatly affected by the word, followed night and day, and were very liberal to my dear orphans."

Oct. 13. Leaving Boston, Whitefield, still preaching as he went, proceeded through Worcester and Brookfield towards the river towns. It

was an object to him of great interest to see Edwards, and the scene of the revival which had made so much noise five years before. No minds could be more unlike than those of Edwards and Whitefield. The marvellous acumen of the metaphysical divine and the histrionic power of the irresistible speaker had nothing of themselves in common. But the widely dissimilar attributes belonged respectively to two men who were thoroughly in earnest in the pursuit of the same transcendent object, and they met with the most affectionate recognition of each other. Whitefield thought of Edwards that he had not "seen his fellow in all New England." Edwards paid his tribute to Whitefield's powers when he "wept during the whole time of exercise." "Lately the people of God," writes the visitor, "have complained of deadness and losing their first love; however, as soon as I mentioned what God had done for their souls formerly, it was like putting fire to tinder."

From Northampton, after a week's stay in the neighborhood, Whitefield took his journey southward, and, after preaching more than a week in the chief towns of Connecticut on the river and along the southwestern coast, proceeded through the middle provinces to his temporary home in Georgia. "I think it proper," he wrote, "to set up my Ebenezer, before I enter into the province of New York, to give God thanks for sending me to New England. . . . . It cer- Oct. 20.

tainly, on many accounts, exceeds all other provinces in America, and for the establishment of religion perhaps all other parts of the world. . . . . In short, I like New England exceeding well; and when a spirit of reformation revives, it certainly will prevail more than in any other place, because they are simple in their worship, less corrupt in their principles, and consequently easier to be brought over to the form of sound words, into which so many of their pious ancestors were delivered."

"Upon Mr. Whitefield's leaving us," writes Dr. Prince, one of the chroniclers of these transactions, "great numbers in the town were so happily concerned about their souls, as we had never seen anything like it before, except at the time of the general earthquake. . . . . Our assemblies, both on lectures and Sabbaths, were surprisingly increased, and now the people wanted to hear us oftener, in consideration of which a public lecture was proposed to be set up at Dr. Colman's church, near the midst of the town, on every Tuesday evening. . . . . When the evening came, the house seemed to be crowded as much as if Mr. Whitefield was there. It was the first stated evening lecture in these parts of the world." The sermon preached on that occasion by Dr. Colman, entitled "Souls flying to Jesus Christ pleasant and admirable to behold," is in print.

Oct. 21.

The blow which had been struck by Whitefield

was followed up by Gilbert Tennent, a Presbyterian minister of New Brunswick, in New Jersey. The year before Whitefield came to Massachusetts he had visited Tennent, and been much impressed by his preaching. "Never before," he wrote, "heard I such a searching sermon. . . . . I found what a babe and novice I was in the things of God." Tennent came to Boston a few weeks after Whitefield's departure thence. He was very competent to take advantage of the excited state in which he found the town. Under his appliances "the people appeared to be yet much more awakened about their souls than before." His preaching, in a different style from Whitefield's, was perhaps not less effective. Whitefield's "was in the manner moving, earnest, winning, melting." Tennent's was "terrible and searching. . . . . He seemed to have no regard to please the eyes of his hearers with agreeable gesture, nor their ears with delivery, nor their fancy with language." But "he seemed to have a deep acquaintance with the experimental part of religion. . . . . His preaching was searching and rousing" to an extraordinary degree.

Dec. 13.

He remained in and about Boston between two and three months, effectually enforcing the impression which had been made by his friend. The ministers of the place were now incessantly occupied with public services and with the reception of applicants for instruc-

1741. March 3.

tion and advice. "Mr. Cooper [Colman's colleague] was wont to say that more came to him in one awakening in deep concern about their souls than in the whole twenty-four years of his preceding ministry. . . . . He has had about six hundred different persons in three months' time. And Mr. Webb . . . . . has had in the same space above a thousand." The weekly evening lecture at the church in Brattle Street was found insufficient, and another was instituted at
April 17. the South Church, and yet another to be held twice a week in one of the two churches at the North End, while more private religious meetings were conducted by the ministers on every other evening in the week, except Saturday. Hundreds of converts were received to the communion. Persons not converted were sobered, so that the whole social aspect seemed changed. "Even the negroes and boys in the streets surprisingly left their usual rudeness. . . . . Taverns, dancing-schools, and such meetings as had been called assemblies . . . . . were much less frequented. Many reduced their dress and apparel." And it was "both surprising and pleasant to see how some younger people, and of that sex too which is most fond of such vanities, put off the bravery of their ornaments."

Tennent went to Portsmouth, and followed up Whitefield's labors there with equally striking success. Mr. Cooper of Boston, and other ministers from abroad, contributed their services.

On one occasion, "before the body of the people had left the place of public worship, the chimney of a house that stood near to it happening to take fire and blaze out to an uncommon degree, upon the sudden appearance of the light breaking in at the several windows there was a cry made that Christ was coming to judgment, which being really believed by a great many, some that were not before so much affected as others were put into the deepest distress, and great numbers had their convictions hereby strengthened and confirmed."

"With the common mixture of remaining infirmities and corruptions," things went on most satisfactorily for a year and a half after Whitefield's appearance in Boston, at the end of which time the movement "unexpectedly came to an unhappy period." James Davenport, minister of Southhold, on Long Island, was a person peculiarly esteemed by Whitefield and Tennent and their circle. His temperament was intensely enthusiastic, and the spirit of the times intoxicated him. What he heard, before they had met, of Whitefield's successes wrought him up to an unselfish frenzy of emulation. He is said to have begun by addressing his congregation in a discourse nearly twenty-four hours long, an exertion which brought on a brain fever. He promised to cure a sick woman by praying, and when she died he pronounced that to be her recovery. He hesitated to preach beyond the limits of his own

parish till he understood himself to be instructed to that effect by opening his Bible at the passage where Jonathan and his armor-bearer are related to have assailed the Philistine camp. Thus encouraged, he went to the neighboring town of Easthampton, wading up to his knees in snow, and had the satisfaction there of making twenty converts. In New York and New Jersey he heard from Whitefield himself of the recent successes of the great preacher in Massachusetts. He went in Whitefield's train to Philadelphia, but in the following summer he returned to the North, and at Stonington, in Connecticut, is said to have "convicted" nearly a hundred persons in a single sermon, and registered about that number of converts in a week. He even stepped across the border of Rhode Island, and flattered himself that he had some harvest from that rugged soil.

1740. Oct.–Nov.

1741. July.

Davenport's doctrine was conceited and exclusive. He went about the towns telling the people in one and another of them that they were imperilling their souls by listening to an unconverted minister. He waited on the ministers, as he journeyed, asking them for a recital of their religious experience, which, if his request were granted, he often found unsatisfactory, and denounced them accordingly, as well as when they declined to gratify his curiosity. The credit of being esteemed by Whitefield was for a time an advantage to him, but he presumed upon it, and gave extreme provocation.

After a turbulent career in Connecticut, 1742.
he came to Massachusetts. At Charlestown June 25.
he attended public worship in the first part of the Sunday next after his arrival, but remained at his lodging in the afternoon, saying that the minister was unconverted. The Boston ministers heard of this stricture, as they had already heard many other offensive things of him. The next day he came to Boston, where the ministers of the town were holding their customary monthly meeting. They sent and invited him to a conference, in which were discussed his past course and his views and purposes. The result was that, with the ministers of Charlestown, they published a "declaration of their judgment July 1.
concerning him," which would have been unanimous, but that it wanted the name of Chauncy. They declared that "he appeared to be truly pious," and that they "hoped that God had used him as an instrument to many souls"; yet they judged it their duty "to bear their testimony against the following particulars: 1. His being acted much by sudden impulses. 2. His judging some ministers in Long Island and New England to be unconverted, and his thinking himself called of God to demand of his brethren from place to place an account of their regenerate state. 3. His going with his friends singing through the streets and highways, to and from the houses of worship on Lord's days and other days. 4. His encouraging private brethren (i. e. who are not

probationers for the ministry) to pray and exhort (i. e. like ministers) in assemblies gathered for that purpose." They judged it, therefore, they added, to be "their present duty not to invite him into their places of public worship, as otherwise they might have readily done." And they availed themselves of the opportunity to repeat their testimony to "the great and glorious work of God, which of his free grace he has begun and is carrying on in many parts of this and the neighboring provinces, beseeching him to preserve, defend, maintain, and propagate it, in spite of all the devices of Satan against it of one kind or other; that, however it may suffer by the imprudence of its friends, or by the virulent opposition of its enemies, yet it may stand as on the rock, and the gates of hell may never prevail against it."

Deprived of access to the pulpits, Davenport took to the open air. He preached on Boston Common, and on Copp's Hill, at the north end of the town, at which places the reputation that had preceded him assembled large audiences. The divisions which he excited gave a check to the movement, which had hitherto gone on with so little obstruction. He arraigned the ministers hitherto so reverenced and trusted, "naming some as unconverted, representing the rest as Jehosaphat in Ahab's army, and exhorting the people to separate from them, which so diverted the minds of many from being concerned about their own

conversion to think and dispute about the case of others, as not only seemed to put an awful stop to their awakenings, but also on all sides to roil passions and provoke the Holy Spirit in a gradual and dreadful measure to withdraw his influence." The grand jury found a bill against Davenport for uttering "many slanderous and reviling speeches against the godly and faithful ministers of this province." Aug. 19. At his trial several of the Boston ministers addressed a memorial to the Court in his behalf. Aug. 24. It was proved, among other things of the same kind, that in a prayer on Copp's Hill he had said, "Good Lord, I will not mince the matter any longer with thee, for thou knowest that I know that most of the ministers of the town of Boston and of the country are unconverted, and are leading their people blindfold to hell." The jury found the fact, but returned a verdict of *not guilty*, on the ground that "the said James Davenport, at the time when he uttered these words, was *non compos mentis*."

The censorious criticisms of Davenport impaired with many the influence of the pastors of the churches. Sharp controversies were waged about the signs and assurances of conversion. The extremists wrought themselves up into extraordinary agitations, the more violent for the opposition with which their encroachments were repelled. In hope of assuaging the tumult, the Boston ministers published, with approving testi-

August. December. monies of their own, two treatises, one of them by Tennent, the other by Dickinson, also a Presbyterian clergyman of New Jersey, who had been in the van of the movement. But nothing short of the most extravagant statements and measures would now satisfy those who aspired to the lead, and the attitude of self-defence into which the natural guides of opinion were forced forbade their being any longer efficient in the labors of conversion. Nor was this all. The recent extravagances threw a shade of odium over the more moderate fervors which had gone before, and not a few who had distrusted them all along, or who had shared in them with more or less reserve, began to avow their doubts, and to stimulate the inquiry how much of the recent excitement had been healthy and profitable, and how much of it had been due to imagination, passion, and contagion.

1743. May 25. At the next annual meeting of the ministers of the province at the time of the General Election, the subject of the revival could not fail to present itself. The result of their deliberations took shape in a published "Testimony of the Pastors of the Churches in the Province of Massachusetts Bay . . . . . against several Errors in Doctrine and Disorders in Practice, which have of late obtained in various Parts of the Land." The errors in doctrine they found to be similar to those which had prevailed a century before in the time of Mrs. Hutchinson, and which

had been "testified against and confuted in the Acts of the Synod" of that period, "as printed in a book entitled 'The Rise, Reign, and Ruin of Antinomianism, etc., in New England.'" The disorders complained of were the "itinerancy" of persons who preached without the leave of the local pastors; the assumption of the sacred functions by "private persons of no education, and but low attainments"; "the ordaining or separating of persons to the work of the evangelical ministry at large, and without any relation to a particular parish"; "the spirit and practice of separation from the particular flocks to which persons belong, to join themselves with and support lay exhorters and itinerants"; assumption of "the prerogatives of God, to look into and judge the hearts of their neighbors, censure and condemn their brethren, especially their ministers"; "the many confusions that had appeared in some places from the vanity of mind and ungoverned passions of people . . . . . with disorderly tumults and indecent behavior." The debate on the adoption of this manifesto was an animated, not to say an angry one. The minority complained of being treated with injustice. The paper was declared to be adopted by a majority casting thirty-eight votes; but some said that the number of affirmative votes was less, and some that it was greater.

Of course the decision of so small a proportion of the ministers of the province could not be

accepted as conclusive. A call was im-
May 27. mediately issued for another meeting, to be held on the day after the approaching Commencement. Ninety ministers met. Dr. Colman
July 7. was chosen moderator, and, when he declined to serve, Dr. Sewall. The ministers issued a paper which they entitled their "Testimony and Advice." They declared their "full persuasion . . . . . that there has been a happy and remarkable revival of religion in many parts of this land through an uncommon divine influence. . . . . The present work," they said, "appears to be remarkable and extraordinary, on account of the numbers wrought upon, ... and these persons of all characters and ages; with regard to the suddenness and quick progress of it"; and "in respect to the degree of operation, both in a way of terror and in a way of consolation, attended in many with unusual bodily effects." The results of the excitement they estimated with great modesty and calmness. "With respect to numbers of those who had been under the impressions of the present day," they found themselves bound to "declare that there was good ground to believe they were become real Christians," though "indeed many who appeared to be under convictions, and were much altered in their external behavior, while this work began, and while it was most flourishing, had lost their impressions, and were relapsed into their former manner of life." They expressed

themselves to "be grieved at any accounts sent abroad, representing this work as all enthusiasm, delusion, and disorder." They lamented that "in some places many irregularities and extravagances had been permitted to accompany it," and they admonished their flocks that, in their care "to avoid Arminianism, they should not verge to the opposite side of Antinomianism"; that laymen should not "invade the ministerial office"; that ministers should not "invade the province of others"; that "people should beware of entertaining prejudices against their own pastors, and not run into unscriptural separations," nor "indulge a disputatious spirit, nor discover a spirit of censoriousness, uncharitableness, and rash judging." But above all, and notwithstanding all of these kinds of disorder that might have taken place, they "most earnestly warned all sorts of persons not to despise those outpourings of the Spirit, lest a holy God be provoked to withhold them, and instead thereof to pour out upon this people the vials of his wrath, in temporal judgments and spiritual plagues."

The sixty-eight names subscribed to this paper represented eminently the wisdom and worth of Massachusetts. Nevertheless, there were not a few respected ministers, besides those who had recently taken the opposite ground, and a still larger proportion of reflecting and religious laymen, who saw the recent transactions in a less favorable light; and the public mind, lately wrought

up to such tumults of emotion, was not only no longer so susceptible, but had become affected with some disgust. It was only four years after Whitefield's visit that Thomas Prince, who published an account of it and of the related occurrences, found occasion to record that "the

1744. Nov. 26. sovereign Spirit, in his awakening influence . . . . . has seemed these two last years in a gradual and awful manner to withdraw. For a twelvemonth I have rarely heard the cry of any new ones, 'What shall I do to be saved?' But few are now added to our churches, and the heavenly shower in Boston seems to be over."

After an absence of four years, Whitefield

Oct. 19. came a second time to New England, arriving by sea at York, in Maine. In the divided state of opinion, his reception was less flattering than it had been before, nor are such triumphs as he had once won of a nature to be repeated in the same field. Proceeding southward, he was detained at Portsmouth two or three weeks by illness, and scarcely appeared abroad except once, when he was borne from the pulpit so exhausted that fears were entertained

Nov. 26. for his life. Thence he came to Boston, where he preached in several of the churches. At Dr. Colman's request, he administered the communion in the church in Brattle Street. This occasioned much complaint, on the alleged ground that Whitefield was in orders in

the Church of England. The newspapers began to assail him, carrying their animosity so far as to charge him with dishonest use of the funds collected by him for his orphan house. Two associations of ministers in Essex County united in a published rebuke to the Boston ministers for inviting him to their pulpits. Dec. 26. The Faculty of Harvard College (then under the Presidency of Edward Holyoke) published their testimony against him. Dec. 28. Besides their objections to "his going about in an itinerant way," as being "utterly inconsistent with the peace and order, if not the very being, of these churches of Christ," they charged him with being an "enthusiast," acting "either according to dreams, or some sudden impulses and impressions upon his mind"; and with being "an uncharitable, censorious, and slanderous man," and a "deluder of the people." The association of ministers about Cambridge passed 1745. Jan. 1. a unanimous vote that they would not receive him. An assembly of ministers convened at Weymouth published their concurrence Jan. 15. in the views of the College Faculty, and along with it expressions of the sympathy of other respected clergymen. Several ministers of the county of Bristol, and a meeting of ministers at Marlborough, besides the Faculty Jan. 22. of the College in Connecticut a little later, Feb. 25. announced their approbation of the sentiments expressed by President Holyoke and his associates.

Whitefield was sore beset. In letters to various friends, he expressed more diffidence than might have been expected from a young man who had drunk so deeply into the intoxication of popular applause. "Wild fire," he wrote, "will necessarily blend itself with the pure fire that comes from God's altar. . . . . It broke out and spread itself by the instrumentality of many good souls, who, mistaking fancy for faith and imagination for revelation, were guilty of great imprudence. . . . . Some unguarded expressions, in the heat of less experienced youth, I certainly did drop. I was too precipitate in hearkening to and publishing private information, and, Peter-like, cut off too many ears." The tone of the defences which he judged it necessary to make was generally forbearing, and sometimes even self-distrustful. Continuing to affirm the integrity of his purpose, and the usefulness of his labors, he allowed that he had been "too unguarded" in his censures of ministers. He assured the Faculty of Harvard College of his "sorrow that he had published his private informations, though from credible persons, concerning the Colleges, to the world." He justified his "itinerancy" by the example of Knox and other reformers. He protested that he had "no intention of setting up a party for himself, or to stir up people against their pastors."

Jan. 18.

Feb. 19.

Jan. 18.

Jan. 23.

The flame which had burned so fiercely had

consumed its fuel. It was going out, and would not be rekindled. Whitefield soon left Massachusetts, after some journeys to towns at the eastward. He was still followed by admirers, but the former tokens of his power were not repeated. Another excitement, presently to be mentioned, of a different character, had taken possession of the public mind. He came to Boston again for a short time in the summer, and again at different times in later years, ending his days at the neighboring town of Newburyport, where is pointed out the place of his burial, beneath the pulpit of his friend and fellow-laborer, Jonathan Parsons. But his first achievements were far the greatest. There was not enough in him of other attractions to compensate entirely for the loss of the charm of novelty. He continued to make wonderful exhibitions of oratorical power, but the subtle influences, which through the sympathy of an audience surrender it helpless to an orator's control, did not combine to aid him to the same degree, after the strain of the first experiment.

1754. 1764. 1770. Sept. 30.

As to the character and results of the paroxysm which has been described, it would be impossible to pronounce a judgment on a question which once agitated the mind of New England to its depths, and is still from time to time revived, without assuming an attitude of religious partisanship, which is not that of the historian. According to different estimates of favorable

judges, the converts made in New England during the Great Awakening amounted to twenty-five thousand, or to double that number. The sober historian of Connecticut placed the number at thirty or forty thousand. The supposed number of twenty-five thousand new communicants has been thought not to represent sufficiently the number of new Christians, inasmuch as, under the fresh impressions made upon their minds, many communicants became convinced that they had been hitherto unregenerate persons.

With respect to the character of the influences which had been exerted and the effects which had been produced, the differences of opinion, which were at first more or less timid and suppressed, multiplied as the operation went on and developed its various traits. At the beginning it was generally welcomed, and at least those who had misgivings were silent. As it proceeded, mutual apprehensions, jealousies, offences, and disgusts grew up. Its close left two parties to the dispute, — the one satisfied that a vast amount of good had been done, though, with few or no exceptions, allowing that it had been alloyed with unchristian temper and behavior; the other convinced that on the whole it had been a triumph of delusion and passion, though not without exceptions of cases in which rogues, libertines, and worldlings had been made virtuous, and good men had had their Christian graces renewed and ripened.

Some of the excesses which had gone furthest

to discredit and arrest the movement were discountenanced and condemned by the persons responsible for them, though the censure was not in season to avert the odium which they caused. When the tempest had sensibly subsided, the volatile James Davenport published his "Confession and Retractations," in which he expressed himself "fully convinced and persuaded that several appendages to this glorious work were no essential parts thereof, but of a different and contrary nature and tendency; which appendages," he says, "I have been in the time of the work very industrious in and instrumental of promoting by a misguided zeal, being further much influenced in the affair by the false spirit which, unobserved by me, did, as I have been brought to see since, prompt me to unjust apprehensions and misconduct in several articles, which have been great blemishes to the work of God, very grievous to some of God's children, no less ensnaring and corrupting to many of them, a sad means of many persons questioning the work of God, concluding and appearing against it, and of the hardening of multitudes in their sins, and an awful occasion of the enemies' blaspheming the right ways of the Lord; and withal very offensive to that God, before whom I would lie in the dust, prostrate in deep humility and repentance on this account, imploring pardon for the Mediator's sake, and thankfully accepting the tokens thereof." 1744. July.

The more resolute, but more discerning Tennent had his conscience touched at a much earlier stage. He had scarcely returned from that visit to Boston in which he had so triumphantly repeated the blow which had been struck there by Whitefield, than he poured out the dis-
1742. closures of his remorseful introspection in
Feb. 12. a letter to a friend. "I cannot justify the excessive heat of temper which has sometimes appeared in my conduct. I have been of late, since I returned from New England, visited with much spiritual desertion, temptations, and distresses of various kinds, coming in a thick and almost continual succession, which has given me a greater discovery of myself than I think I ever had before. These things . . . . . have given me a clear view of the danger of everything which tends to enthusiasm and division in the visible Church. . . . . Alas for it! my soul is sick of these things."

An anonymous letter, sent from New England and published in Glasgow, which Whitefield thought of importance enough to require
May 24. a reply from himself, presents at large the unfavorable view which was taken of the excitement, when at its height, by one class of persons, so circumstanced as to utter their sentiments without restraint. "The boasted converts," says this confident writer, "not one of an hundred excepted, make religion to consist in the feeling of inward impulses and impressions, in an inexpli-

cable faith, joys, ecstasies, hearing of sermons, and such-like things. They are bigoted to certain opinions, which they do not understand, and have not the least degree of charity for those that are of another way of thinking. They are all of them vain, conceited, superstitious, enthusiastic, censorious, slanderers. Reason, learning, and morality they professedly disregard. Should they hear a minister preach in the most evangelical manner upon any moral duty, or recommend the exercise of reason and understanding, they would call him a dry, husky Arminian preacher, and conclude for certain that he was not converted. No sermons please but such as move and heat the passions, or scare and frighten them. Solid instruction is heathen morality or carnal preaching." The writer corroborates his judgment by extracts, collected in a preface, from writings of ministers and others in New England.

Of the New England ministers conspicuous in the controversy the most considerable may be allowed to be Edwards, Colman, and Chauncy, men in temperament most unlike to one another. Edwards lived and died in the belief that there had been an extraordinary and most beneficent effusion of God's Holy Spirit. His elaborate testimony to that effect, in "Thoughts concerning the Present Revival of Religion in New England," was abridged by John Wesley for circulation in the parent country. Colman was a man of less sturdy fibre. He had early committed

himself on the main question, in his account to Dr. Watts of the movement under Edwards's auspices in the towns on Connecticut River, and in his last years he was probably influenced in no small degree by William Cooper, his younger and more impetuous colleague. Colman's fastidiousness was much disturbed by the intemperate and factious methods of the reformers; but there is no reason to doubt that to his death, which took place but two years after Whitefield's second visit, he adhered to the opinion that a useful work had been done "in many places," — an opinion which, in the year after his colleague's decease, he expressed in a published letter of comment upon Davenport's "Confession."

1744.

Dr. Chauncy, a man constitutionally indisposed to enthusiasm, logical, perspicacious, and reserved, probably entertained from the first that unfavorable sense of the phenomena of the time which later developments confirmed and intensified, and prompted him to express with great confidence and plainness of speech. An extract from his published "Letter concerning the Religious State of New England," addressed to a minister of Edinburgh, concisely expresses the opinion which he never scrupled to avow and maintain.

1742.

"Various are the sentiments of persons about this unusual appearance among us. Some think it to be a most wonderful work of God's grace;

others a most wonderful spirit of enthusiasm: some think there is a great deal of religion, with some small mixture of extravagance; others a great deal of extravagance with some small mixture of that which may be called good: some think the country was never in such a happy state on a religious account; others that it was never in a worse.

"For myself I am among those who are clearly in the opinion that there never was such a spirit of superstition and enthusiasm reigning in the land before, never such gross disorders and barefaced affronts to common decency, never such scandalous reproaches on the Blessed Spirit, making him the author of the greatest irregularities and confusions. Yet I am of opinion also that the appearances among us (so much out of the ordinary way, and so unaccountable to persons not acquainted with the history of the world) have been the means of awakening the attention of many; and a good number, I hope, have settled into a truly Christian temper; though I must add, at the same time, that I am far from thinking that the appearance, in general, is any other than the effect of enthusiastic heat. The goodness that has been so much talked of, 't is plain to me is nothing more, in general, than a commotion in the passions. I can't see that men have been made better, if hereby be meant their being formed to a nearer resemblance to the Divine Being in moral holiness. 'T is not evident to me

that persons generally have a better understanding of religion, a better government of their passions, a more Christian love to their neighbor, or that they are more decent and regular in their devotions towards God. I am clearly of the mind they are worse in all these regards."

It is not uninteresting to read the comments made on these transactions by a person who surveyed them from a point outside of that Congregational Church which they agitated. Dr. Timothy Cutler, once Rector of Yale College, was now the Episcopal minister of Christ Church in Boston. One must read his animadversions with allowance for the satisfaction he may have had in witnessing the conflicts and calamities of the communion which he had abandoned. He corresponded with Dr. Zachary Grey, of Trinity Hall, Cambridge, urging upon that dignitary the importance of energetic action in New England on the part of the Episcopal Society for the Propagation of the Gospel. He wrote to his friend:

1743. Sept. 29. "Whitefield has plagued us with a witness, especially his friends and followers, who are likely to be battered to pieces by the battering-ram they had provided against our church here. It would be an excellent attempt to describe that scene of confusion and disturbance occasioned by him, — the divisions of families, neighborhoods, and towns, the contrariety of husbands and wives, the undutifulness of children and servants, the quarrels among the teachers, the

disorders of the night, the intermission of labor and business, the neglect of husbandry and of gathering the harvest. . . . . The fellow treated the most venerable with an air of superiority. But he forever lashed and anathematized the Church of England; and that was enough." The preaching of Whitefield and his fellow-laborers in America was followed by the same manifestations as the preaching of Wesley and Whitefield in England; and for like reasons the Church of England on both sides of the water looked upon it with absolute disfavor.

CHAPTER VIII.

CONNECTICUT AND RHODE ISLAND.

In Massachusetts, the government took no cognizance of the religious agitation of the time. The course in Connecticut was different. When Whitefield came first to New England, the politico-ecclesiastical establishment created by the Synod of Saybrook, and by the legislative action adopting the scheme of that body, had been strengthened by the use of a whole generation, and a course of proceeding that disturbed the parishes had somewhat of the character of an offence against the State.

1721. Twenty years before Whitefield's advent there was a religious revival in the town of Windham, where Mr. Samuel Whiting was minister. "In the short term of six months eighty persons were admitted to full communion in the church. . . . . It was probably nearly as much as one person to every family. . . . . But while this place was so remarkably wet with the dew of Heaven, the ground was dry all around it." In the salutary terror spread by the great earthquake, "it was to be hoped that some were savingly wrought upon." The

1727. Oct. 29.

wide ravages, a few years later, of that terrible scourge, the scarlet fever, were not followed at once by the religious impressions that many looked for. But the influence of the movement which presently began at Northampton by the instrumentality of Edwards spread into the neighboring towns belonging to the province of Connecticut. It was felt through the whole line of settlements lower down the river, and diverged on the one side of that line as far as to New Haven and Stratford, and on the other side to Tolland and Norwich. "It was the opinion that in some towns and parishes, fifteen, twenty, and even thirty persons were in one week brought out of darkness into marvellous light." 1734. 1735. 1736.

But there was a pause, and perhaps a reaction, till Whitefield appeared upon the scene. After his first preaching at Boston, Edwards accompanied him from Northampton as far as East Windsor, in Connecticut, where Edwards's father was pastor of the church. Whitefield travelled through Suffield, Hartford, Wethersfield, Middletown, New Haven, and the towns along the Sound, preaching to crowds at every stage of his journey, which occupied only a week before he passed into New York. But it did not take long for him to make himself felt and remembered. Wherever he went, he left the people thinking and talking of nothing else but his gifts and his achievements. At Wethersfield he 1740. Oct. 21.

was waited upon by the young ministers Wheelock and Pomeroy, who were afterwards much associated with him, and the former of whom became the first President of Dartmouth College. At New Haven he found the Assembly in session, and, no cause for uneasiness having yet appeared, he was well received by them, and was warmly complimented by the governor.

Whitefield was soon followed to Connecticut by Tennent, as he had been to Boston; and, to a still greater degree than in Boston, the effects of the labors of the disciple appear to have been more definite, and were thought to be more substantial and permanent, than those produced by the master, though his methods of address were not so captivating. "People would cry out, in the time of public worship, under a sense of their overbearing guilt and misery, and the all-consuming wrath of God, due to them for their iniquities; others would faint and swoon under the affecting views which they had of God and Christ; some would weep and sob, and there would sometimes be so much noise among the people in particular places, that it was with difficulty the preacher could be heard. In some few instances it seems that the minister has not been able to finish his discourse, there was so much crying out and disturbance."

Though some leading ministers of Connecticut took an active part in the movement, and many, especially in its early stage, regarded it

with favor, the majority were probably suspicious of it from the beginning, and, when what were regarded as extravagances and disorders on the part of its friends became more and more striking and frequent, a powerful opposition was arrayed. When Davenport first left his own fold on Long Island, it was to visit the eastern towns of Connecticut, where he did not fail to communicate his ardor to persons of a like fervent character of mind. He approved and promoted the noisy demonstrations of assemblies engaged in Divine service, adopting, among other singularities, a kind of *intoning*, which was found to act on the nerves of hearers, and which was adopted as a sort of symbol by his followers. His customary proclamation that ministers were unconverted, when they declined to be examined by him, or when, on an examination, they failed to give him satisfaction, of course made him enemies. But what especially brought him in conflict with the authorities was his encouraging exhorters who had attached themselves to him — ignorant youth and others — to address such congregations as they could anywhere collect; and this without the leave, or in defiance of the prohibition, of the ministers who were the local ecclesiastical authority. So long as the Saybrook platform was law, practices of this kind, thought the government, were not to be endured. 1741. July.

A General Association, convened according to

the Saybrook platform, "endeavored to
November. prevent the growing disorders among the ministers that had been ordained or licensed by the associations in the government to preach, and likewise to prevent divisions and disorders among the churches and ecclesiastical societies." But the attempt had little success. Divers of the ministers still "took upon them, without any lawful call, to go into parishes immediately under the care of other ministers, and there to preach to and teach the people; and also sundry persons who were very illiterate and had no ecclesiastical character, or any authority whatever to preach or teach, took it upon them publicly to teach and exhort the people." The government took up
1742. the matter, and provided by law that if
May 13. any minister should preach in a parish not his own, without an invitation from "the settled minister, and the major part of the church and society," he should be "denied and secluded the benefit of any law made for the support and encouragement of the gospel ministry"; that if any association should do any ecclesiastical act, belonging by the Platform to the jurisdiction of a different association, all the members present and concurring in that act should be liable to the same penalty; that if any person other than a settled minister should exhort in any parish, without an invitation from its minister and the majority of its church and congregation, he should be bound over to keep the peace in the penal sum of a

hundred pounds; and that every person, so offending, not being an inhabitant of the colony, should "be sent, as a vagrant person, by a warrant from any one Assistant or justice of the peace, from constable to constable, out of the bounds of this colony." This was immediately after the accession of Governor Law to the chief magistracy.

Davenport and his friend Benjamin Pomeroy, minister of Hebron, were arraigned before the Assembly on a charge of disturbing the town of Stratford by collecting large assemblies of people, whom, with the help of certain illiterate persons, exhorters, they misled with pernicious doctrine and inflamed to disorderly practices, going even so far as to counsel resistance to the measures for repression which had just passed into law. The excitement was so great, that, during their examination, there was an attempt to rescue them from the custody of the sheriff, which was only defeated by turning out a force of militia. Either because the complaint was not well made out against Pomeroy, or because the government judged it prudent to affect lenity in respect to an esteemed minister of their own colony, he was discharged. The decision as to Davenport was that, though his "behavior, conduct, and doctrines did, and had a natural tendency to, disturb and destroy the peace and order of this government," yet, inasmuch as it further appeared that he was "under the influence of en- June 1.

thusiastical impressions and impulses, and thereby disturbed in the rational faculties of his mind," he was "therefore to be pitied and compassionated, and not to be treated as otherwise he might be." He was taken under a guard to a vessel, to be conveyed to his home at Southhold. Pomeroy went to Colchester, where, being denied admission to the meeting-house, he preached in a grove to a large assemblage. He was complained of for the irregularity, and, by the application to him of the recent law, lost his salary for seven years.

Mr. Fish, minister of Stonington, maintained in a sermon, that "following God implied men's giving themselves wholly to him, to be governed by his commands; that it implied an imitation of his moral perfections, etc., . . . and it was inferred that true religion did not consist in ecstasies, in crying out in the time of public worship, in powerful impressions, in lively imaginations or visions of a bleeding Saviour, etc.; that though the saints might have these things, yet that they were no evidences of a gracious state." His sobriety cost him the loss of a large part of his parish. "The house was filled with outcries against the preacher. He was declared to be an opposer of the work of God, making the hearts of his children sad, and strengthening the hands of the wicked." His case was that of not a few other clergymen, and numerous separate churches were set up, which supplied their pulpits as best

they could, and changed the occupants of them with the caprice and the frequency which in the circumstances was to be expected. Their standard of competency for the function was not high. They held "that if a man had the spirit of God, it was no matter whether he had any learning at all"; and as to what was the spirit of God, their ideas were not clear or uniform.

The General Association of ministers issued a caution against the prevailing errors and malpractices, and recommended "a just deference to the laws of the magistrate lately made to suppress disorders." The General Assembly was resolved and angry. A law, now of thirty-five years' standing, made "for the case of such as soberly dissent from the way of worship and ministry established by the ancient laws of this government," allowed such persons, on certain conditions, to set up and maintain a separate worship It was now repealed, so that henceforward persons dissatisfied with the regular churches, and desirous of having religious services of their own, could only obtain their wish by applying to the General Assembly, and taking oaths and obligations required in England of dissenters. The law against interloping preachers was made more severe. If a person, not an inhabitant, having been once expelled from the colony, should return to it, and there "preach, teach, or exhort," it was now provided that he should "be bound in the penal sum

1742. June 15.

1743. May 12.

October.

of one hundred pounds, lawful money, to his peaceable and good behavior," and that he "will not offend again in like manner," and that he "pay down the cost of his transportation." Justices of the peace and other officers, civil and military, who were known to favor the obnoxious movement, were discharged. Prosecutions of ministers and others took place, in the issue of which it was constantly apparent that the government was embarrassed between the aim to support its own authority and the public order on the one hand, and the fear of creating sympathy with the offenders, and of compromising its religious character with ardent religionists, on the other. The College entered the lists, with a weighty conservative influence. It expelled two

1744. Nov. 19. students for worshipping, in time of vacation, with a separatist conventicle, and for justifying themselves in the offence, when called to account for it.

When Whitefield was again expected in Con-

1745. June. necticut, the General Association resolved that it would by no means be advisable for any of the ministers to admit him into their pulpits, or for any of the people to attend his administrations. Notwithstanding this admonition, he passed through the colony, preaching on his way, and notwithstanding the law against interloping preachers he was not molested. It was probably known that his transit would be rapid. It would have been extremely inconvenient, con-

sidering the estimation in which he was widely held on both sides of the water, for the government to engage in a dispute with him, and it is probable that no such considerable consequences were now apprehended from his presence as would have been expected at an earlier time. Not only was he no longer the same brilliant novelty, but the public attention was now intensely directed to another course of events, presently to be described, of a widely different character. A military expedition and a foreign conquest turned into a different channel the effervescence of adventurous minds. Occasional trials of strength between the authorities and dissentients continued to occur for three or four years longer. But a natural weariness succeeded on both sides; a mutual good-nature asserted its claims; and Connecticut, benevolent though sanguine and stubborn, settled into its ancient ways.

Rhode Island was not materially affected by the movement which so agitated the sister colonies. But though, in some points of view, Rhode Island might not seem a nutritive soil for religious products, the practices of Davenport and his friends in the towns close to her western border were not foreign to her own customs and tastes, and might even agreeably revive the memory of Gorton and others of her founders. At Westerly there had been for some years a missionary of the Commissioners of Indian Affairs, who found "a spirit

of profaneness and irreligion awfully prevailing" there. When Davenport came to Stonington, which he entered with his friends "in solemn procession singing an hymn," — it was one of his habits to sing in the streets, — Mr. Parks, the missionary, went to see and hear him. He "expected no extraordinary effect, when to his surprise there was a cry all over the meeting-house; and when he asked the cause, the answers were such that he "could not but say, 'This is the Lord's doing.'" Some of Davenport's followers came over and exhorted in Westerly, and in a week or two "the number hopefully converted was fifteen souls." A church was formed consisting of fourteen persons, "all English," to whom were presently added fourteen others, besides six Indians, and two negroes. But Westerly was a remote corner of Rhode Island, and it does not appear that the influence spread far into the colony on this side. From the other side it proved still less effective, though it approached in force from the quarter of Taunton and Middleborough, under the preaching of the ministers Josiah Crocker and Peter Thacher.

1742. Feb. 12.

In the year in which Belcher was dismissed from the government of Massachusetts, Joseph Talcott, of Hartford, died, having been governor of Connecticut for seventeen successive years from the death of Governor Saltonstall. The accession of Jonathan Law, of

1741.

Milford, to the chief magistracy marks a change in the conduct of the government in relation to ecclesiastical affairs. The distinctive characteristics of the old colonies, New Haven and Connecticut, were not yet lost, and Law, born and bred in the former of them, leaned, as his Hartford predecessor had not done, to an intimate union between Church and State, and a policy of strict coercion for sectaries and innovators.

During the period of Talcott's administration the chief thing to be noticed in the history of the colony is its constant growth by the establishment of new towns. Willington, destined within the century to become noteworthy as the birthplace of one of the most eminent of American writers, began with twenty-seven inhabitants. The settlements in rapid succession of Somers, New Fairfield, East Haddam, Union, Barkhamstead, Colebrook, Hartland, Winchester, New Hartford, Torrington, Kent, Goshen, Canaan, Salisbury, and Cornwall show the thriving condition of the community which they enlarged. Yet these territorial arrangements were not always amicably effected. In Governor Andros's time a large tract about Litchfield had been improvidently granted by the General Assembly to the towns of Hartford and Windsor. When these towns proceeded to make a sale of it, the Legislature interfered, probably on the ground that the grant had by both parties been understood at the time

1726.
1730.
1732.
1733.
1734.
1737.
1738.
1739.

1687. Jan. 26.

to be merely a device for keeping the lands out of the hands of the rapacious governor, and not as an actual transfer of the property. The towns sold the land, however, and the purchasers proceeded to survey and occupy it. It was a common interest that the settlements should be extended, and that a dispute, in which not a few persons of consequence had become interested, should be put to rest. The government entertained dispassionately the claim which had been set up, and finding it to be not without plausibility and to be enforced by independent considerations of public advantage, consented to generous terms of accommodation.

1726. May 26.

An order from the Privy Council and the Lords of Trade to proclaim King George the Second, called forth warm expressions of loyalty from the Legislature, which Governor Talcott summoned to hold a special session. An Address of congratulation was sent to the King, and at the same time the governor was charged to transmit to the agent of the colony in England a reply to a complaint which John Winthrop, son of the late governor, was understood to be urging there. Winthrop, considering himself to be unjustly treated by the colonial courts in respect to the division of his father's estate, had gone to England to prosecute an appeal, and especially to represent that the colonial law which allowed daughters to receive real estate in the distribution of the property of an intestate person was in vio-

1727. Sept. 18.

lation of the law of England. The question was of the first importance, since, if decided adversely to the colony, it would unsettle the titles to landed property from the very beginning. As yet the King's Privy Council had shown itself inclined to decide that the law of Connecticut on this subject must be disallowed, and was null. The agent was now furnished with a hundred pounds sterling, "to be improved for the use of the government in making our defence against the aforesaid complaint of Mr. Winthrop." Winthrop's wife produced to the governor a record of an Act of the King in Council, overruling that action of the Connecticut courts of which Winthrop had complained, and the Assembly ordered the Secretary to proceed to put Winthrop in possession of the land claimed by him, as soon as "the bounds and quantity of said land" should be ascertained, — a process which it may be presumed was expected to be a slow one. The situation was most inconvenient. No settlement of intestate estates could be made in the province with any confidence that it gave a valid title. Connecticut could not be brought to accede to the determination of the Privy Council. And at length, nearly twenty years after the adverse decree of that body, the provincial law was sanctioned by a decision of the House of Lords, under the advice of the crown lawyers.

1728. Oct. 10.

1746. May.

The Assembly, which received the unwelcome

intelligence of the action of the Privy Council on the law of inheritance, applied to Jonathan Belcher to go to England and associate himself in the agency for the colony with Dummer, who was understood to be ill in health. He went accordingly, and reached England at the time when the dispute of Governor Burnet with Massachusetts had increased the displeasure in the courtly circles against the colonies. The accounts which he sent home were such as to occasion the

1729. Oct. 9. government of Connecticut to write to him in alarm: "We are unwilling to surrender our charter, for we account it the choicest part of our inheritance, and shall not, upon any terms, be persuaded to part with the same. Therefore you will avoid all occasion of hazarding of it. Particularly we are greatly concerned respecting the conduct of the Assembly of the Massachusetts, fearing it will have an ill influence upon our affairs if that should be brought into Parliament." And the agents were instructed "to use the utmost caution that we be not in the least measure involved with the Massachusetts when that matter comes into the Parliament." When Belcher came home as governor of his

1730. Oct. 8. native colony, Francis Wilks, of London, was appointed agent for Connecticut.

The colony continued to be generous to Yale College. The accustomed annual gift of a hun-

Oct. 8. dred pounds to that institution was first doubled, then tripled, and then still further

increased; and three hundred and ten pounds in bills of credit were voted to the church in Windsor, as "satisfaction for their temporal damages in giving up Mr. Thomas Clapp to be Rector." Time, experience, and good sense had moderated religious jealousies, and "such dissenters as are commonly called Quakers," and immediately afterwards Baptists, were exempted by law from paying taxes for the support of Congregational worship, on furnishing proof that they attended a worship of their own. The Pequod Indians complained of intruders from the town of Groton on their woods and lands, and two magistrates were appointed "to be their guardians and secure their redress." Ben Uncas, the Mohegan Sachem, "declared that he doth embrace the Christian religion, which is the only instance of any of the chiefs of the natives in this colony becoming Christian, though much pains have been taken with them"; and "the Assembly, being willing to encourage so good a beginning, desired his Honor the governor to procure for the said Sachem a coat made in the English fashion, and a hat, and also a gown for the said Sachem's wife."

1735. Oct. 8.
1741. Oct. 8.
1740. May 8.
1729. May 8.
Oct. 9.
1731. May 13.
1736. Oct. 14.

The government of Connecticut was administered frugally. The pay for Assistants was, for attendance on the General Assembly, "nine shillings and sixpence *per diem*,

1729. May 8.

exclusive of the Sabbath days," and fourpence a mile for travel, "going and returning"; that of deputies was seven shillings for each day's service, and threepence a mile for the expenses of the journey.

The paper currency was only kept by the prudent vigilance of the government from occasioning the same embarrassments and mischiefs as in Massachusetts. A corporation which had been created under the name of the "New London Society, united for Trade and Commerce," presumed to issue notes similar to the colonial bills of credit. Governor Talcott convoked the Assembly in a special session, and the society's recent proceeding was declared to be illegal, and punishable like forgery or counterfeiting, and its charter was repealed. It applied for a renewal of the charter, and for a loan of money from the colony, in order to its extrication from the embarrassments in which it was involved by this decision; but the Assembly with exemplary wisdom "resolved that such a society of merchants, whose undertakings are vastly beyond their own compass, and must depend on the government for their supplies of money, and must therefore depend on their influence on the government to obtain it, is not for the peace and health of the government."

1732. Feb. 15. May 10.

The legal profession was not in good repute. "Whereas many persons of late had taken upon

them to be attorneys at the bar, so that quarrels and lawsuits were multiplied, and the King's good subjects disturbed," it was enacted that there should be "allowed in the colony eleven attorneys and no more"; namely, three in Hartford County, and two in each of the others. But whether it was that the law was not found to avail against the dexterity of the discountenanced profession, or for some other reason, it was repealed after a short experiment. The Assembly thought it prudent to have the governor assure the Board of Trade that they had not "by any premium encouraged any manufactory in this colony." But the alarm was no sooner over than they established liberal bounties for the production of silk and of hemp, and for manufacturing "canvas or duck," and "fine linen cloth." In cases of epidemic disease, the law gave power to two justices to authorize constables to impress nurses, as well as to provide "other necessaries for the accommodation of the sick." The necessities of the war with Spain led to an improved military system. The governor was declared to be Captain-General, and the lieutenant-governor to be Lieutenant-General of the colony's forces, and the militia, in which the highest officers as yet had been but majors, was arranged in thirteen regiments, each with the three field officers of a regular regimental organization.

1730. May 14.

1731. Oct. 14.

Oct. 14.

1734. May 9.

1732. May 11.

1739. Oct. 11.

Acts for the further regulation of the militia,
1741. and "for the encouragement and better
May 14. supporting the schools," were passed in the last session of Governor Talcott's service. He
Oct. 8. died in the following summer, and the Assembly, at its regular autumnal meeting, chose Lieutenant-Governor Law to serve as governor, and Roger Wolcott, of New London, as lieutenant-governor, till the legal time for the popular election in the spring.

In the first years of King George the Second the history of Rhode Island was uneventful. The colony was growing, though scarcely as fast as
1730. the rest of New England. A census, made ten years since the last enumeration, ascertained the population to consist of fifteen thousand three hundred and two whites, sixteen hundred and forty-eight negroes, and nine hundred and eighty-five Indians. Nineteen hun-
1731. dred men constituted the militia. There were five thousand tons of shipping, and four hundred sailors. Such a population and such a commerce demanded facilities of interior
1736. communication, and the General Assembly
October. licensed "Alexander Thorp, livery-stable keeper, and Isaac Casno, saddler, both of Boston, ... to set up the business of keeping stage-coaches for the transporting of goods to and from this colony and the Massachusetts government," and gave them an exclusive patent for "improving two stage-coaches for the space of

seven years, ... in regard of the great charge and expense they must be at." Though most of the trade of Rhode Island passed through Boston, two vessels came every year direct from England, two from ports of Holland and Spain, and ten or twelve from the West India Islands. The value of annual exports was computed at ten thousand pounds sterling, and the ordinary yearly expenses of the government at two thousand pounds in currency. A division was made of the colony into three counties, and to this distribution the judicial system was adjusted. Newport County was constituted of the towns of Portsmouth, Newport, Jamestown, and New Shoreham; King's County (formerly King's Province), of Westerly, and North and South Kingston; and Providence County, of Providence, Warwick, and East Greenwich. The towns of Smithfield, Scituate, and Gloucester consisted of territory set off from Providence. 1729. June. 1731. February.

The boundary on the side of Connecticut was at length determined and marked, after some final skirmishing, the result rather of old habit than of any remaining difference of opinion or purpose. Connecticut continuing to be sluggish about running the line "pursuant to the order and determination of his Majesty and Council," Rhode Island appointed commissioners to do that office with or without the co-operation of the sister colony. Connecticut sent 1728. May.

men of her own, who, after some formal disputing, of not at all the same temper as that of the disputes of earlier times, agreed in marking by monuments the line which divides the friendly contiguous States at the present day.

On the accession of the new King, the Rhode Island people sent him a loyal address of congratulation, at the same time soliciting a gift of ordnance for a work which they informed him that they had erected at Newport, — "a regular and beautiful fortification of stone, with a battery subjoined, where might be conveniently mounted sixty cannon." Governor Cranston, dying in the office which he had held for thirty successive years, was succeeded by Joseph Jenckes, of Pawtucket, who held it for five years till his death. At the peril of his popularity, Jenckes maintained correct views about the danger from the flood of paper-money. He refused to approve a bill "for emitting sixty thousand pounds in public bills of credit," passed when the amount of bills outstanding already exceeded twice that sum. He indorsed his dissent on the engrossed bill the day after the Assembly rose, which was said by the adverse party to be too late, since no valid act in legislation could take place unless while the whole Legislature was in session. A Memorial had been presented against the bill, which on their defeat the signers wished to transmit to England with a view to obtaining redress there.

1727. May.

1732.

1731. June.

By way of certifying its authenticity, the governor was induced to put it under the colony seal, and thus it was another occasion of complaint against him that he had placed the corporate authority of the colony in the attitude of censure of its own legislation. He was solicited to convoke the Assembly to consider the state of things, and when he refused to do so, the deputy-governor took the extraordinary step of calling them together.

The Assembly declared the governor's dissent to be of no effect, chiefly on the ground which has been specified. The governor appealed to the sovereign, desiring to be instructed, 1. whether an Act of the Assembly, not having the governor's concurrence, was valid; 2. whether he could safely refuse the use of the colony seal, in attestation of copies made by the secretary to be submitted to the King; 3. whether his previous personal examination of such papers was necessary, the secretary being a sworn officer. His application was referred in England to the law-officers of the crown, Yorke and Talbot. As to the last two points their opinion confirmed the view upon which the governor had acted. As to the first, they said that by the colonial charter "no negative voice was given to the governor," nor even was "any power reserved to the crown of approving or disapproving the laws to be made," and that accordingly the General Assembly, independently of the governor's concur- Aug. 3.

rence, was competent to make laws, and that the validity of laws so made depended on nothing else but their being, "as near as might be, agreeable to the laws of England, regard being had to the nature and constitution of the place and the people."

Governor Jenckes did not live long enough for a settlement of the question whether his popularity could bear this rude storm. He died before the next election. He was succeeded, but not till after two years, by his factious subordinate, John Wanton. During the intervening time, while the latter was continued as deputy-governor, the highest post was given to his brother, William Wanton, who died before the end of his second term of office.

1734.

A light of different radiance from the "New Lights" that had dazzled the neighboring colonies shone upon Rhode Island when George Berkeley came to Newport. At his Deanery of Derry, in Ireland, where his philosophical writings had given him an early fame, that fine genius and devout philanthropist had conceived the idea of establishing a college in the Bermuda Islands, for the preparation of Christian missionaries to the savages of America; and, resigning his Irish preferment, he came over to devote himself to the prosecution of that enterprise. Taking Rhode Island in his way, he awaited there the fulfilment of promises of pecuniary aid, which had been made to him by the

1729. January.

British Ministry. But Stanhope and Walpole found other uses for the King's money, and Berkeley's generous project was starved. He bought a residence in the neighborhood of Newport, and occupied it two or three years, writing there his "Alciphron, or Minute Philosopher." At and after his return home, he made valuable gifts to the colleges at Cambridge and New Haven. At Newport he gave for public use a collection of books which survives in the "Redwood Library," so called from a later benefactor. 1731. Sept.

At Newport a grammar school had been maintained for nearly twenty years, and at Portsmouth school-houses had been built. At Providence another slight indication was afforded of tendency towards a salutary social change, when a school there was encouraged by the General Assembly to the extent of allowing the teacher the privilege of collecting his flock "in one of the chambers of the county house," on condition of his "keeping the glass in constant good repair," and "erecting a handsome sundial in the front of said house, both for ornament and use." 1716. 1723. 1735. August.

In the sixth year of the administration of Governor John Wanton, a century from the foundation being then recently completed, John Callender, minister of the Baptist Church in Newport, published his "Historical Discourse on the Civil and Religious Affairs of the Colony 1739.

of Rhode Island." There were then in Newport "seven worshipping assemblies, churches or societies," and in the other twelve towns twenty-six "distinct societies or worshipping assemblies of Christians, besides several places where there were occasional meetings in some part of the year, or at certain seasons." In the colony the Baptists had twelve congregations, the Quakers ten, the Congregationalists six, and the Episcopalians five. Between the Baptist churches there were diversities of opinion; the unity of the Quakers was of the vaguest kind; the Episcopal congregations at Westerly, East Greenwich, and North Kingston were small.

The breaking out of the Spanish war offered an opening for action to a seafaring people, familiar with the islands of the West Indies. They knew how to find there opportunities for service to the King, and for enriching themselves with plunder. The colonial governor called for volunteers to join the expedition under Admiral Vernon, at Jamaica. At Carthegena a small force from Rhode Island had its share of the sufferings that attended that disastrous enterprise.

1740. May. July. The preparation for it was the last public care of Governor John Wanton. He died after being placed in the chief office by seven successive annual elections. The colonies of New England all changed their governors at nearly the same time.

CHAPTER IX.

ADMINISTRATION OF SHIRLEY. — CONQUEST OF CAPE BRETON.

William Shirley, a native of the English county of Sussex, had been bred to the law, and was "a barrister of the Middle Temple." Having a family to provide for, he came to Boston to push his fortune in his profession. He brought a friendly letter of introduction to Governor Belcher, from the Duke of Newcastle, Secretary of State. Writing to the Duke from America that various circumstances recommended the country to him, "notwithstanding its bad money and worse politics," he solicited the places of postmaster of Boston, "computed to be worth near a hundred pounds sterling per annum," and of Attorney-General of New York. Belcher, who for a while was friendly to him, probably by reason of his good standing with the Duke, interested himself to have him well compensated as "the King's only Advocate-General in America"; and Shirley, in pressing the same suit, acknowledged his patron's kindness in a hope held out to him of being made

1731. Aug. 14.

1732. July 17.

Aug. 4.

1734. Nov. 30.

Nov. 19.

collector of customs in Rhode Island. He sent
1736. his wife to England, with an application
July 8. from Belcher for a salary for him of "at least two hundred pounds from his Majesty's Ex-
1737. chequer." The Board of Trade recom-
May 19. mended a compliance with it, and Shirley
Nov. 3. followed it with a suit for "the post of collector of customs, in the port of Boston, or some other of like nature."

By this time the relations between Belcher and Shirley were changed. Among other places coveted by the latter was that of clerk of the Court
1738. of Common Pleas, which he says Belcher
Jan. 2. told him that he intended for his own son, and "threatens me," he adds, "with his displeasure, and tells me, if I succeed, he shall be very troublesome to me." Some of his friends, at least, had begun to think of him for the promotion which he afterwards attained. Samuel Waldo, who had been aggrieved by Belcher's "opposing his settlements of the eastern lands," went to England to make representations against him. In a letter purporting to be from James Bowdoin, of Boston, the Duke was as-
July 27. sured that "most of the considerable men here wishes him all success, and hopes he will deliver us from this mean fellow [Belcher] that hath tyrannized so long over us. . . . . By his hypocrisy and villany he hath already almost ruined and destroyed one of the provinces he reigns over [New Hampshire]." The writer urged

the appointment of Shirley in Belcher's place, and promised that the question of a stated salary would be settled "directly, should Mr. Shirley be the man."

But Shirley, for some reason, was not pleased with this officiousness in his behalf. Perhaps he thought it too bold for the time, for Belcher's position was by no means desperate as yet. "The impertinent letter," Shirley wrote to the Duke, "signed J. Bowden, of which I heard this morning, was all counterfeit. J. Bowden is a merchant of the largest estate in this province, a Frenchman by birth, who does not trouble his head with anything that relates to the government, is upon good terms with Governor Belcher, and has very little acquaintance with me." He imputes the artifice to "a gentleman in the highest station among us [meaning, probably, Belcher]. I am so thoroughly acquainted with his politics," he continues, "and knowing to some other instances of a like kind of treachery, that I dare almost risk my credit upon the truth of my suspicion. . . . . When the letter was wrote . . . . . the thing itself [the succession to the government] was not in my aim or thoughts." He expressed his "uneasiness at Mr. Waldo's indiscretion in his application to your Grace in my favor. He had no commission from me to act in this matter." The Duke had proposed to make his *protégé* Chief Justice of New York, and Shirley may have thought that an im-

1739. March 3.

prudent ambition for the higher office might end in the loss of both.

An indication of the consequence to which he had attained may be seen in his assuring the Duke, when recruiting began for the Spanish war, that he should offer to the governor all the assistance in his power in raising men in Massachusetts and New Hampshire, though, he adds, "I cannot tell how this will be received from me, whom his Excellency hath for some time looked upon with a jealous, if not evil eye." 1740.

He informed the minister that a person in whose behalf he had applied for a commission had been rejected by the governor, who said that "he would not by any means hear of him, because I had recommended him; otherwise he should have had a commission"; and he reported Belcher as having said, in another case of the same kind, that he would not "be plagued with every pettifogger's recommendation." Shirley plied the Duke with letters from himself and others, showing his useful activity in enlisting and fitting out troops for the war, at his own cost and that of his friends; the unskilfulness and lukewarmness of the governor in respect to that business; and the governor's unreasonable hostility to himself. Mrs. Shirley, in London, wrote to the Duke: "Mr. Shirley has suffered many affronts from the governor, but while he was obeying your Grace's commands, he did not fear Mr. Belcher's resentment." Mr. Martin Aug. 4. Sept. 20.

Bladen, of the Board of Trade, examined various papers submitted to him, and reported: "It appears to me that Mr. Shirley has shown a very laudable zeal for the public, and that Governor Belcher has indulged his personal resentment against Mr. Shirley to the detriment of his Majesty's service. . . . . It would seem to me that there cannot be now any inconvenience in making an alteration in that government, and that your Grace cannot recommend to his Majesty any gentleman to succeed Mr. Belcher more capable of discharging the duty of a good governor, or that would be more acceptable to the people there, than Mr. Shirley." Oct. 8.

At the time when his commission as governor arrived, Shirley was in Rhode Island, employed by Massachusetts in managing the question about the boundary line. He had established such a reputation for character and ability, that among his adopted fellow-citizens the news of his promotion was received with general favor. In the conspicuous career on which he now entered, he proved to be a person of unquestionable capacity, but yet ambitious in a degree disproportioned to his powers. He had the welfare of the province at heart, and was attentive and diligent in the discharge of his office. As occasions arose for difference of judgment between him and the local government, he pressed his own views with a fulness of argument which was often diffuse to the degree of tediousness, but 1741. Aug. 13.

which always showed intimate acquaintance with the subject in hand, and which was rarely indiscreet in language, and never overbearing or petulant in temper. And he had a reasonable judgment as to the time when a point at which he had aimed was to be abandoned as unattainable, and knew how to yield and retreat with dignity and good-nature.

When Shirley presented himself to produce his commission and take the oaths of office, the General Court had been adjourned four days by his predecessor with a view to that ceremony. In his inaugural speech he called the attention of the Legislature to four subjects: 1. The defenceless condition of Castle William in Boston Harbor, which he declared to require instant attention on account of the existing war with Spain; 2. The expediency, in consideration of the unfavorable season, of a temporary embargo on the export of provisions; 3. His intention to prosecute, before the King in Council, the appeal which he had taken from the decree of the commissioners on the boundary line of Rhode Island; 4. The deplorable state of the currency, which made all business insecure, and all property of doubtful value. Governor Belcher, he said, had "very justly complained of the excessive rise of exchange between Great Britain and the province, which had then risen within a few years from sixty to more than two hundred per cent," while "since that time, within the

Aug. 17.

compass of eleven years, it had risen from two hundred and twenty to about four hundred and fifty per cent."

It was to no purpose that he exhibited this discouraging state of the public finances. The facts were as indisputable as they were appalling. There was no need of words to impress them on the Legislature. The Legislature knew them as well, and felt them as much, as the governor. But the Legislature, disabled by the deplorable improvidence of its predecessors through a course of years, was bewildered, baffled, helpless. It is easy to say that whoever, being honest, has recklessly or unfortunately contracted debt, must distress himself to pay it, and not be content with renewals of promises to pay. A community must discharge its debt by sales of its property (if it has any) and by taxation of its citizens. Massachusetts had no salable property. She taxed her people severely, as it was. But as long as, owing to past mismanagement, the best that they paid in taxes, and the best that they had to pay, was a fictitious currency constantly falling off in value, the accumulation of taxes brought the treasury no nearer to the point of solvency.

The assembled wisdom could as yet devise no means of extrication. The case seemed nearer and nearer to becoming desperate. Oct. 14. The Houses passed a bill of supply, which, among other objectionable features, allowed the payment of taxes in certain perishable commodities. The

governor informed them that his instructions forbade him to approve such a bill. They were not prepared with anything better, and they dispersed to their homes, leaving an empty exchequer. They had promptly made a grant to the governor of two thousand pounds, which, as it was declared to be for the temporary expenses of his accession, he did not scruple to accept with assurances of gratitude. The House, displeased with its agent in England, Francis Wilks, perhaps on account of his friendliness to Belcher, expressed its dissatisfaction by a vote for his discharge, in which, however, the Council refused to concur.

Oct. 16.

Aug. 22.

Aug. 29.

Sept. 18.

An application to Shirley from the British commanders in the West Indies for recruits to their force, was referred by him to the General Court. The service did not prove popular enough to engage a sufficient number of volunteers; and it deserves recording as an illustration of the estimate put in those times upon persons not making themselves definitely useful in some way, that when the governor recommended the impressment of a sufficient number of men to meet the requisition, he added, "in which case those able-bodied men who are of little or no value to the community, though very fit for his Majesty's service, may be taken." In consequence of his representations to the King's government of the indispensable-

Sept. 23.

Dec. 31.

ness of a provision for the treasury, his instructions had been so far qualified that he felt at liberty to sign a supply bill in which were introduced some amendments conformed to his views; and he wrote to the Duke that he had prevailed with the General Court to protect creditors against the depreciation of bills of credit, and to draw them in "at certain periods." "The Act of Parliament for suppressing the Land Bank scheme" had, he said, been obeyed by the directors, "who have got above one third of their bills in and consumed 'em to ashes, and are daily endeavoring to draw in the remainder of 'em." Two Acts which he had procured to have passed — one, "for the supply of the treasury," the other "for ascertaining the value of money" — he considered to be "of more service to the country than all the Acts of Assembly that have been made since the first emission of bills of credit here."

1742. Jan. 15. Jan. 23.

Another instruction, which came at or about the same time, revived for once more the most material dispute of the early period of the government under the second charter. As the first session under Shirley's administration drew towards its close, the General Court made him a grant of six hundred and fifty pounds in the form which the Court had persisted in observing. He had taken no action upon it at the time, but in their next session he informed them that he was instructed to demand a regular salary

Jan. 21.

of a thousand pounds, and he enforced the requisition by an elaborate argument several pages in length. The House excused itself from
Jan. 22. acting in the case, on the ground that the number of its members in attendance was small.

The governor, forbearing to insist ungraciously
March 27. on the demand at the time, renewed it at
March 30. the beginning of the next session. The
April 6. House declined it in a brief, frank, and
April 9 able reply, followed up, on a repetition of it, with arguments drawn out at length, and adopted by a unanimous vote, in which they justified themselves in a refusal to make even a limited arrangement of the kind required,
April 14. and did not shrink from avowing that they meant to keep the governor dependent on them for his maintenance. This was, they said, a very fit principle of a government which was balanced by the mutual dependence of its several departments, the Council being dependent on the governor for its constitution as to members, the House being no House except under the governor's power of convoking, proroguing, and dissolving, and no legislation of the two branches being operative without the governor's approval. The governor repeated, largely and skilfully, the reasonings and implied threats which had
April 15. become familiar on his side of the ques-
April 20. tion, and twice refused the requests of the Court for a prorogation. But the approach of the time when by the charter it was necessary to

issue writs for the annual election, compelled him to desist from this kind of coercion; and he allowed them to separate, having first addressed them with a formal presentation of his case, using no disguise in respect to his purpose of influencing the popular election which was at hand. He allowed them, he said, to rise, because he was "desirous to avoid the least show of extorting that, by any method, which it was the interest of the people of this province should appear to be a free act of their duty to his Majesty." April 23.

This was more civil language than had been habitual to Dudley, Shute, Burnett, or Belcher, but it proved no more effectual to convince or persuade. The new House met. The governor briefly proposed the question respecting his salary, referring to his previous arguments upon the subject. The House replied by a grant of two thousand three hundred and fifty pounds, in the long-accustomed form, and he signed the bill, thus bringing the controversy to a close. The governor and the Ministry had become satisfied that the province was not to be moved from the ground which on this subject it had taken, and the time when its favor was wanted for reinforcements to the army in the West Indies was not the time for persistence in presenting a cause of irritation. After a quiet session of five weeks, the Court was adjourned to the autumn. May 26. June 2. July 2.

In the interval the governor met a delegation of Indian chiefs on St. George's River, being anxious respecting the influence which might be in action upon them on the part of French missionaries, now that the relations between England and France were becoming unsettled. But he
Sept. 3. was able to report that, as far as their protestations deserved confidence, they were in a friendly and submissive temper. Again the
1743. Court made a liberal grant to the governor
June 8. (thirteen hundred and fifty pounds) in the ancient form, and he received it without objection, and, the question about the stated salary being thus dismissed, the executive and legislative departments were thenceforward on the best of terms. He continued, as was his dismal duty, to complain of the condition of currency and credit, already almost intolerably bad and growing daily worse; but he had to acquiesce in the apparent impossibility of devising measures of relief. Massachusetts was the victim, not only of her own financial mismanagement, but scarcely less of the imprudent and injurious management of her neighbors. The governor invited the Court
1744. to observe that in addition to their own
Feb. 9. depreciated paper currency, there were in circulation in Massachusetts bills of Connecticut and Rhode Island, to the amount of fifty thousand pounds and of three hundred and fifty thousand pounds respectively, and that Massachusetts had already lost, in the depreciation of

these securities, no less than a hundred and eighty thousand pounds, estimated in that currency.

In this desperate pecuniary condition it must have been with nothing short of dismay that the Court heard itself applied to by the governor to provide for the probable exigencies of a war, which he had reason to believe imminent, between England and France. War had indeed already been declared by both the European powers, between whom, under the pacific administration of Walpole, there had been a peace of thirty years. Intelligence of the rupture was promptly despatched to New France. Before it reached Boston, a force of nine hundred men, sent by the French governor of Cape Breton, surprised and captured the post at Canseau, garrisoned by eighty New England soldiers. The fort was burned, and the prisoners were taken to Louisburg. Annapolis, where the works had fallen into decay, scarcely escaped a similar fate, though Shirley succored it with a reinforcement of seventy men. When the new Court of Elections came together, the hostile movements at the North were known in Massachusetts. The governor's invitation to adopt spirited measures was cordially met. A Joint Committee of War was raised, with William Pepperell, of Kittery, President of the Council, at its head. Five hundred men were impressed. Two hundred men were de-

April 27.

March 15.

March 29.

May 13.

June 1.

spatched to reinforce Annapolis, which was understood to be threatened by the Indians. Powder was distributed into all the towns. A range of forts was planned, to be built between the Connecticut and the Hudson. A circumstance which gave great satisfaction was the arrival of a contribution from the King to the armament of the fort in Boston Harbor, consisting of two mortars, and twenty forty-two pound cannon. Through the rest of the year the Court, expecting events which would prescribe its action, was repeatedly convoked and adjourned, holding no fewer than four sessions in six months.

The English and French posts at the northeast of New England approached each other closely. The English settlement of Annapolis, formerly Port Royal, was near the western end of the peninsula of Nova Scotia, of which the population, of more than sixteen thousand, was almost wholly French. At the opposite extremity of Nova Scotia was the fort at Canseau, on a strait, called by the same name, which separates the mainland from the island of Cape Breton. This island, then occupied by the French, stretches half across the wide entrance to the Gulf of St. Lawrence. On its southeastern side, close to a long roadstead called by the French the Bay of Chapeau Rouge, — a name corrupted by the English into *Gabarus Bay*, — the French government, since the peace of Utrecht more than thirty years before, had constructed and been laboriously

strengthening a formidable fortress on a point enclosing and commanding a convenient harbor. The fort was built of stone, with walls more than thirty feet high, and a ditch eighty feet wide. It had six bastions and three batteries, with platforms for a hundred and forty-eight cannon and six mortars. On an islet, which was flanked on one side by a shoal, a battery of thirty guns, twenty-eight pounders, defended the entrance of the harbor; which was also commanded from within by the Grand or Royal Battery, mounting as many guns, of the calibre of forty-two pounds. The fort was a safe rendezvous and refuge for French fleets and privateers sailing in the Western Hemisphere. It commanded the access to the St. Lawrence, and it watched and kept in alarm the English settlements all along the coast. It was a standing threat to the great business of New England seamen, which was the fishery on the Banks. At present it had a garrison of six or seven hundred regular troops, and twice as many militia.

The General Court of Massachusetts had scarcely come together in the winter, 1745. Jan. 9. when it was thrown into amazement by a proposal, from the governor, of an extraordinary scheme in relation to this fortress. He prepared the way for it by requesting that it might be received under an engagement of secrecy. From prisoners taken at Canseau, and released after some detention at Louisburg, he had, he said,

received information respecting the condition of the latter place, which inspired him with the hope that it might be reduced by a sudden assault. He was told that, in the winter, snow-banks so high and firm were sometimes heaped against the outside of the walls as to admit of their being climbed over by a brave assailing party; but that there was an alternative, if circumstances should not favor the adoption of so bold a measure; he was assured that the garrison was insubordinate and ill-provisioned, and that, if the supplies which it was accustomed to receive from France every spring could be intercepted, it would easily be discouraged into a surrender. He had already informed the English Ministry of the necessity that existed for the presence of a fleet to defend Annapolis, and he had written to Commodore Warren, who was in the West Indies with some ships of war. From one of these quarters he hoped to obtain a naval force sufficient to prevent Louisburg from being relieved by sea. Accordingly he proposed to the Court to send, with all possible secrecy and despatch, four thousand provincial soldiers in transports, to rendezvous at Canseau, whence, as soon as plans for action could be satisfactorily completed, they should proceed to disembark on the shore of Chapeau Rouge Bay, and reduce the fortress by surprise or by regular approaches, according as circumstances should prove to require or permit the one proceeding or the other.

The Court received the proposal with astonishment. The disproportion of means to ends seemed to them so extreme as wellnigh to forbid that serious consideration of it which, however, could not be refused to a scheme of the Chief Magistrate. They referred it to a committee, at the head of which was William Pepperell. After two days' deliberation, the committee reported that, immensely desirable as was the object proposed, the undertaking was altogether beyond the capacity of the province, and must on all reasonable grounds of calculation so result as to bring about a ruinous financial distress; that there was no safe reliance to be placed on the report which had been brought of the insecurity of the works at Louisburg, or the demoralization of the garrison; that in the formal movements of war the courage of new levies was no match for the discipline of regular troops; that the province had no siege artillery, and could get none; that its heaviest vessel carried but twenty guns; that the whole fleet in which the soldiers, victorious or beaten, were to come back, if at all, could not maintain itself against a single French frigate; and that even if undisturbed it would be of little use for a blockade, in seas and at a season where there was a constant alternation between furious tempests and blinding fogs. These and other considerations made the committee decide that Massachusetts was not equal to the capture of Louisburg, but that urgent represen- Jan. 11.

tations ought to be made to the English government of the desirableness of that acquisition, and of the wisdom of devoting to it such military and naval forces as would render availing the assistance which the province was disposed liberally to afford, in the measure of its ability.

The report was accepted, as far as appears, without opposition, and the project might seem to be disposed of. The governor, however, was sanguine and persevering, while he had too much address to provoke contradiction by an appearance of assumption and impracticableness. The secret of his communication to the Legislature was said to have escaped by means of the simplicity of a Representative, who in his family devotions prayed for Divine guidance to his action on a matter of such moment. However disclosed, it spread with rapidity, exciting, as it went, an enthusiasm which made no careful calculations; and it was thought to be not without encouragement from the governor, who sent two more messages upon the subject, that a petition from merchants and fishermen of Boston, Salem, Marblehead, and other sea-coast towns, solicited a reconsideration of his plan. A second committee made a favorable report, and after a day's debate, the House signified its approbation by a majority of a single vote.

Jan. 15.

Jan. 23.

Jan. 25.

Here ended all dissent, repugnance, criticism, indifference. Henceforward the only question

was as to who could do most to further the great design. After an unusually good harvest, provisions were abundant. Enlistments were facilitated by a stagnation of business, which left numbers of seamen and others without employment. The governor solicited aid from the other English colonies as far south as to Virginia, but it came only from those of New England, except that New York lent ten small guns (carrying eight-pound shot), and New Jersey and Pennsylvania contributed some provisions and clothing. Massachusetts undertook to raise a force of three thousand two hundred and fifty men; Connecticut promised five hundred, and Rhode Island and New Hampshire three hundred each.

It was of the first importance to find a commander capable both of keeping up the enthusiasm that had been excited for the enterprise, and of conducting its operations with spirit and good judgment. The choice fell upon William Pepperell, of Kittery. He was the son of a Devonshire man of the same name, who had come first to the Isle of Shoals, where he prospered as a fisherman, and then to Kittery, where he accumulated a considerable property for those days. The son, with better but still with no distinguished advantages for education, followed in his father's steps. When he was old enough, he became his father's partner in a miscellaneous business. They bought land, carried on farming, built ships, employed fishermen, and traded

with the Southern colonies, with the West Indies, and with Europe. The younger partner, thirty-
1734. eight years old at the time of his father's
Feb. 15. death, was the only surviving son, and was made heir to the greater part of the estate.

While, in the diligent prosecution of a profitable business, he became probably the richest man in the province, he took an equal interest in public affairs, and received tokens of the public confidence. He had scarcely come of age when he was made a justice of the peace and a captain of cavalry. When thirty years old he represented
1726. Kittery in the General Court, and the next year was chosen a member of the Council. When Governor Belcher reconstituted the east-
1730. ern Court of Common Pleas, in order to get the appointment of its clerk, he placed William Pepperell at its head, who ordered a law library from London, and applied himself to the study of that science. He gave sedulous attention to the discipline of his regiment, and to military affairs in general; the protection of the eastern towns against the savages being a perpetual and urgent duty devolved especially upon him. He was so far without qualification for the capture of a fortified place, as that he had never seen a siege. But in this he was no worse off than any other New England officer. He would have to be governed by his good sense, and to devise methods as fast as he might, under the instruction of experience. His courage, discretion, probity, and

patriotism were notorious and unquestionable. His uniform success hitherto in whatever he had undertaken was an encouraging augury. The people confided in him, and were ready to trust themselves under his command; and something of what was lost by imperfect discipline would be compensated by the cheerfulness of voluntary obedience to a leader powerful through the personal good-will which adhered to him.

Pepperell entered into the scheme with serious distrust. His wisest friends were on the whole the least sanguine. Even the ardent Whitefield could give him no better encouragement than that, though the plan did not seem promising, he must "go with a single eye," and then he would find that "as was his day, so his strength would be." Whitefield is said to have furnished as a legend for the regimental colors, "Nil desperandum, Christo duce"; and, among his disciples who enlisted, one had equipped himself with a hatchet to be used in demolishing the idols in the Popish churches.

While the enlistments and other preparations were in progress, precautions were used to prevent intelligence from getting abroad. The naval force proper consisted of fourteen vessels, of which the largest, carrying twenty-four guns, was commanded by Edward Tyng, commodore of the fleet. The transports were eighty or ninety in number. While they were assembling at Nantasket, in less than two months after the

governor's first communication to the Court, a squadron sailed to blockade Louisburg and intercept supplies. A day of fasting and prayer was appointed to be kept throughout the province, and single churches made their own arrangements for the like solemnity to be observed at other times. The troops from Massachusetts were a week on their voyage to Canseau, which was the place of rendezvous. They found there the contingent from New Hampshire. That from Connecticut joined them after ten days. The men expected from Rhode Island did not appear till the campaign was over.

March 24 - April 1.

Arrived prosperously and secretly within fifty miles of Louisburg, the lieutenant-general (such was the rank which the commander's commission conferred) saw his not easy task confronting him close at hand. He had brought instructions drawn out with much detail, for the lawyer Shirley already entertained that overestimate of his own military genius which made his later life a disappointment. Pepperell found himself directed to do a number of things little likely to come within his power, since he could not command the elements and adjust the course of time. The weather of the early spring was yet unsettled. The rocky coast was hidden much of the time with heavy fogs. The pilots had but an imperfect knowledge of it. The invaders had no guns fit for a siege. They were utterly without

experience in operations of that kind. An inspection ascertained the arms to be "slighty" and the provisions insufficient. The enemy occupied a well-constructed work, with a powerful armament, a considerable force of men, and, for anything that was known to the contrary, competent supplies.

"Your proceedings from Canso," wrote the self-complacent governor to the general, "must be such as to time your arrival at Chapeau Rouge Bay about nine of the clock of the evening, or sooner or later, as you can best rely on the wind, weather, and darkness of the night." That done, the troops were to be forthwith disembarked, and the place, order, and manner of their landing were circumstantially prescribed. Being formed on shore, "three divisions, consisting two of six hundred men each, and one of four hundred men, are to march," so the order proceeds, "as near as they can guess to the back of a range of hills about west from the town, about one mile and a half, and here the two detachments of six hundred men each are to halt and keep a profound silence, while the other detachment of four hundred men pursue their march, following the range and under cover of the said hills round to the northwest and north, till they come to the back of the said battery, where they are also to halt till a signal agreed on be given for them to march immediately to the said battery and attack it"; and the management of the battle which is to follow

is prescribed through all its incidents with the same particularity. If the attempt at a surprise from any cause should fail, a regular investment was to be made, of which the proceedings are indicated through several pages of equally minute specification. The general did not need to be a professional soldier to be amused at the easy steps by which his superior marched on to triumph. He may be pardoned if the part of the letter the most satisfactory to him was the postscript, which ran as follows: "Upon the whole, notwithstanding the instructions you have received from me, I must leave it to you to act, upon unforeseen emergencies, according to your best discretion."

A whole month the troops were detained at Canseau, waiting for the ice to break up, by which Cape Breton continued to be surrounded. During all this time, the presence of neither the military nor the naval force was discovered from that island. The vessels had orders to cruise out of sight of land, and if occasionally a sail was seen, it passed for one of the privateers, of which often there were numbers in those seas.

April 23. The prospect was at last brightened by the joyful event of the arrival of Commodore Warren with a ship of the line and three frigates from the West Indies. After replying to Governor Shirley that he could afford no aid to the expedition for want of orders, he had received instructions from England occasioned by the gov-

ernor's representations to the Ministry in the preceding autumn, and without loss of time set sail for Boston; but falling in with a fishing sloop in Massachusetts Bay, and learning that the expedition had gone to sea, he took out the officers for pilots, and shifted his course for the place of rendezvous. There he was presently after joined by three or four other heavy men-of-war, making his fleet consist of five vessels of sixty guns and six frigates, besides the provincial vessels, which, agreeably to orders from England, and with Pepperell's cheerful acquiescence, Governor Shirley had transferred from the general's command to that of the commodore.

At length, agreeably to the governor's plan of coming upon the garrison by surprise, the expedition set sail at evening; but, the wind dying away, the vessels made slow progress, and the next morning were in sight from the town. By a dexterous feint, a landing was successfully effected, in the face of a small force which came from the fort to oppose it. Colonel Vaughan, of New Hampshire, was presently sent forward with four hundred men to attack the outwork called the Grand Battery, to which the invaders looked for a supply of heavy artillery. At a little distance to the windward of the battery were some warehouses containing naval stores and a quantity of wine and brandy. These Vaughan reached by night, and set on fire. The smoke, rendered dense and pungent by pitch, tar,

April 29.

and other like combustibles, and driven by a strong wind into the Grand Battery, so disturbed the French, ignorant as they were of the number of the assailants, that they abandoned the work and withdrew within the town. Approaching cautiously for a reconnoissance in the morning, Vaughan was surprised to find the place deserted, and presently a message from him reached headquarters, conceived in these gratifying terms: "May it please your Honor to be informed that by the grace of God and the courage of thirteen men I entered the Royal Battery about nine o'clock, and am waiting for a reinforcement and a flag." The cannon which the French had spiked on their retreat were drilled, and were immediately turned with annoying effect upon the town.

The work of bringing up the cannon from the transports proved difficult and laborious. They had to be drawn over a morass by men harnessed with straps across their breasts, and wading up to their knees in half-frozen mud; and as the way was in plain view from the walls, and within artillery range, the operation could ill be carried on except by night and on foggy days. Meanwhile one of those fortunate incidents took place, a succession of which occurred so opportunely. The blockading squadron intercepted and captured a French sixty-four gun ship, which was going into Louisburg to relieve the garrison with provisions and military stores. To give intelli-

gence of her fate to the French in the fort, she was towed backward and forward before the entrance of the harbor. For the greater certainty that the disheartening fact should be known, the commodore resorted to an artifice. He complained to his prisoner, the commander of the French ship, that while he and his men were receiving the most courteous treatment, the governor of Louisburg was dealing harshly with Englishmen who had fallen into his hands. The French officer accordingly consented to send in a letter of remonstrance, which answered the purpose of making known to his friends on shore what had become of him and his expected supplies. The English messenger, who carried the letter into the town with a flag, concealed the fact that he understood French, and thus had the benefit of the lamentations which in the governor's circle were uttered over the disaster.

Though from various causes the progress of the siege was slow, it was obstructed by only one seriously untoward event. This was an unsuccessful night attack of a flotilla of whale-boats, under Colonel Gorham, upon the Island Battery at the entrance of the harbor. The night was stormy; the landing was impeded by the violence of the surf beating upon the rocks, and one hundred and seventy men were drowned, killed, or taken prisoners, though the escape of the work was so narrow that a

May 26.

New England officer was struck down while he had his hand upon the flagstaff. The next proceeding against this battery was the erection of another commanding it from the mainland; and, favored still by that strange fortune which by faith and habit the Puritan soldiers recognized as a favoring Providence, they found at low-water mark a sufficient number of heavy cannon for the purpose. The guns had been brought thither by the French for a similar fortification, and had been precipitately buried when they were alarmed by the invasion.

The completion of this battery, erected under the superintendence of Colonel Gridley, — the officer who, thirty years later, laid out the works on Bunker's Hill and Dorchester Heights, — seems to have brought the governor's mind to thoughts of a surrender. The contemporaneous Scottish historian Douglas, in his acrimonious criticism of the campaign, says that "the siege was carried on in a tumultuary, random manner, like a Cambridge Commencement." Certain it is, however, that things constantly moved on to the result. There was no turning back, no stop, no despondency. Day by day the lines were pushed nearer to the place. The batteries were in good and improving condition. The blockade was so complete, that only the arrival of an unexpectedly large French force could bring relief. A regular communication with home was maintained, and supplies had become ample. A

breach, believed to be practicable, had been made at one of the gates. The principal town battery towards the water was nearly ruined, and other works were badly damaged; and the Island Battery, the chief obstacle to the entrance of ships, was commanded by that recently erected. Plans were now daily canvassed in councils of war, and in correspondence between the general and the commodore, for a simultaneous assault by land and water. A vigorous cannonade of the island from the new battery dismounted some of the guns and drove the artillery-men from the rest, while the activity on board the ships and in the camp indicated preparations for a storming of the post, which was actually arranged for the third day after, — the ships to force their way into the harbor, and disembark seamen and marines, and the land forces to scale the western walls.

Thus beset, the French commander sent out a flag, desiring a suspension of arms, June 15. to treat for a capitulation. Honorable terms were allowed, the commodore acquiescing in the general's opinion that the Frenchman's wish to march out of the fort with arms and colors was "too small a point to hinder any time upon." On the same day, Brad- June 17. street, lieutenant-colonel of Pepperell's regiment, marched a detachment into the town, and the fleet came to anchor in the harbor. It was well that no delay had been caused by a discussion of the terms of surrender; for the day after the troops

were established in their new quarters brought intelligence of the arrival of a body of Indians, said to be twenty-five hundred in number, within two hours' march of the deserted camp, and the weather, which had hitherto been fine since the landing, became such as would have distressed the soldiers in their thin osnaburg tents among trenches filled with water.

Six hundred regular troops and thirteen hundred militia-men became prisoners. When the victors entered the place, they found it in a pitiable state. Nine hundred shot had been thrown into it, and six hundred shells. Not a house in the town, it was said, remained uninjured, and scarcely three, reports one letter, were inhabitable.

Ships were immediately despatched to Boston and to England with tidings of the great success. It did not fail to diffuse the liveliest joy among all of the British name. "Last Tuesday
July 2. night," says the weekly newspaper, the "Boston Post-Boy," "arrived here Captain Bennett, with despatches from Lieutenant-General Pepperell and Commodore Warren, by which we have the good news of the surrender of the important city and fortress of Louisburg to our forces, after a siege of near seven weeks. On this joyful occasion, the day following was celebrated in a very grand and splendid manner, being ushered in by the ringing of the bells, and at noon by the discharge of the guns at Castle

William, the North and South Batteries, the ships in the harbor with their colors all displayed, and in the evening there was a large bonfire on the Common, where there was a large tent, and the populace entertained with plenty of wine. The whole town was beautifully illuminated, and a great quantity of curious fire-works played off. And the day was concluded with all possible rejoicing." "I heartily congratulate you," wrote Dr. Chauncy to Pepperell, "upon the news we received yesterday, about break of day, of the reduction of Cape Breton. The people of Boston, before sunrise, were as thick about the streets as on an election day, and a pleasing joy visibly sat on the countenance of every one you met with. We last night had the finest illumination I ever beheld with my eyes. I believe there was not a house in the town, in no by-lane or alley, but joy might be seen through its windows. The night also was made joyful by bonfires, fire-works, and all other external tokens of rejoicing." July 4.

There was a public thanksgiving throughout the province, on a day appointed by the governor. In his sermon on that occasion Dr. Chauncy extolled the troops. "They were not," he said, "the scum of the land, idle, worthless creatures, given to profaneness and intemperance, and debauched in their manners, but, for the generality, they were men who had upon their minds an awe of God, and who feared an oath, they were

men industrious in their callings, and well able to provide for themselves and families; in a word, they were men of life and spirit, animated with love to their King and country, and willing to venture their lives, not so much to serve themselves as to promote the public good. 'T is a rare thing for so many men of such a character to be engaged in such an enterprise. And I can't but think there was a special hand of Providence in it." And this was not merely the language of a divine. The same is the tone of all the writing that has been transmitted from the time, — in the public acts, in the newspaper paragraphs, in the letters from the camp. The hearts of all seemed too full of a religious gratitude for the happy event, to admit of being relieved by mere shouts of exultation. "God has gone out of the way of his common Providence," wrote an officer to his wife, only repeating the sentiment which possessed all around him. "Unto Almighty God, who loves to show himself, and in an eminent manner take part with right and justice against those mighty oppressors of the earth who, like an overflowing flood, would bear down all before 'em, be ascribed this great and happy conquest"; such was the language
July 22. of the newspaper just now quoted, when a fortnight had passed from the first excitement.

The rejoicings at Boston were echoed in other parts of the continent. At Portsmouth, Salem,

Newport, New York, Philadelphia, the news was greeted with salvos from the forts, dressing of the ships with flags, ringing of the bells, bonfires, illuminations, and all sorts of public and private festivities. The General Court of Massachusetts took measures for forwarding supplies of pay, provisions, and warlike stores for the garrison, and materials for reconstructing the damaged works, — an example which was followed by the governments of the other New England colonies. New York made a contribution of five thousand pounds, New Jersey of two thousand, and Pennsylvania of four thousand, the last-named province accompanying its vote with a declaration that "though the peaceable principles professed by divers members of this Assembly do not permit them to join in raising of men or provisions, arms and ammunition, yet in all suitable ways they always held it their duty to render tribute to Cæsar."

On the arrival in England of the frigate sent out by the commodore with the intelligence, her commander received a gratuity of five hundred pounds, the Park and Tower guns were fired by order of the Lords of the Regency (the King being then abroad), and "a general joy and gladness," says a London newspaper, "was diffused through the whole kingdom." When Pepperell returned from Louisburg in the summer of the following year, he was conducted to his home in a sort of triumph. Coming into Boston Harbor

1746. June 24. in a frigate, under salutes from the ships and batteries, he was received at the Castle by the governor, who conducted him to town. On the Long Wharf he was met by the Council and Representatives, who accompanied him, under the escort of the governor's battalion of Cadets, to the Council Chamber, where the House presented an Address of thanks and congratulation through their Speaker. His modest reply was, "I am heartily obliged to the honorable House for the respect they have shown me, and I hope I shall always be ready to risk my life and fortune for the good of my dear native country." After a few days he proceeded to his home in Maine, and the two weekly newspapers of the time are crowded with particulars of the tokens of respect and gratitude offered to him at Lynn, Salem, Beverly, Ipswich, Newbury, Hampton, Portsmouth, and other places on the way. The enthusiasm of the demonstration was a strange novelty in New England.

The importance of the transaction now recorded is not to be estimated by the narrowness and obscurity of the scene. The conquest saved, at the moment, Nova Scotia and its confines to the British Crown; a powerful French naval force destined for a descent in that quarter, and already on the Atlantic, received on its way, from a neutral ship, intelligence of the fall of Louisburg, and returned, abandoning the enterprise. But the exploit had wider political relations. As

far as England was concerned, it was the great event of the war of the Austrian succession. England had no other success in that war to compare with it. As things turned out, it is not too much to say that the capture of Louisburg gave peace to Europe. To the great discontent of her American subjects, England, adopting for the treaty of Aix-la-Chapelle the basis of the *status ante bellum*, bought back with the retrocession of Louisburg to France the conquests of the more fortunate arms of her rival on the other side of the water. Indications of "the capacity of a people commercial and at the same time warlike" were found by Voltaire, in this adventure, — an achievement which he presents as "not of the British Ministry, but of the valor of New England traders." Erroneously ascribing the conquest of Louisburg to Warren's ships, William Pitt said in debate in Parliament, "It was our navy that procured the restoration of the barrier of Flanders in the last war, by making us masters of Cape Breton."

1748.

1755. Nov. 13.

CHAPTER X.

ADMINISTRATION OF SHIRLEY, CONTINUED.

It was not till a year after the capture of Louisburg that Pepperell's return to Boston, described in the last chapter, took place. Warren came with him. They had been visited by Governor Shirley soon after the conquest, his special business being to reconcile those soldiers whose term of enlistment had expired to a longer stay at the place for its defence. From Louisburg, whence he did not return till the beginning of winter, he wrote to the Duke that he found "a perfect harmony subsisting between the general and commodore," but such destitution among the men, especially in respect to clothing, that "there was danger of a serious mutiny, had he not been on the spot." He had pacified them by what he called a "Declaration," in which he assured them that satisfactory arrangements had been made in respect to their provision and pay, and exhorted them in eloquent terms not to fall into disorders which would frustrate the heroic work they had been doing.

1746. June 1.

1745. August

Dec 8.

Sept. 22.

Sept. 17.

The late surprising success had naturally stim-

ulated the governor's ambition, both for himself and for the public. He wrote to the Duke of Newcastle, setting forth for the King's consideration his exertions and achievements, and urging arrangements for a new attempt upon Canada and a conquest of all New France; for which undertaking he proposed that Pennsylvania should be called upon for twenty-five hundred men, Virginia and Connecticut for twenty-one hundred each, Massachusetts for forty-five hundred, and New York for the same number, "not as being so considerable, but as deriving much the greatest advantage by the immediate increase of their fur trade"; though, he said, the latter province was controlled by its Dutch inhabitants, who, fearful of disturbance to this trade, desired to maintain a neutrality with the French Indians, and to "prevent the Five Nations from going into the war." The proposal was favorably received at court. The Duke sent instructions to the governors of all the English colonies north of Carolina to make a levy of troops. The colonies voted to raise eighty-two hundred men, of which number Massachusetts engaged thirty-five hundred, and Virginia one hundred. A fleet and a force of regular soldiers were to be sent from England; the troops from New England, as by the earlier plans of similar campaigns, were to make their way to Quebec by the St. Lawrence, and those from the other colonies by Lake Champlain and

July 27. Oct. 29.

May 31.

1746. April.

Montreal. The autumn approached, and the expected fleet had not come. The season was thought to be too far advanced for the prosecution of the enterprise against Quebec, and it was determined to employ such troops as had been collected in nothing more than an attack upon the French fort at Crown Point.

But while arrangements for this latter operation were maturing, attention was drawn to a different quarter. Intelligence came from Nova Scotia of hostile movements there of the French (who were not much fewer than twenty thousand in number), and of their Indian allies; and what was much more serious, there was information of the approach of a French fleet far more formidable than had ever appeared in the Western seas. Boston was immediately garrisoned with six or seven thousand men. Connecticut promised six thousand more, as soon as they should be needed. The forts were manned and provisioned all along the coast, and additional temporary works were erected. The alarm was not unfounded. A great expedition had been gotten up by the French Court. A fleet of forty ships of war, besides transports, came, under the command of the Duke d'Anville, into the American waters, bringing a perfectly well-appointed army of three or four thousand veteran troops. The object was believed to be not only to protect Canada and recover Nova Scotia and Cape Breton, but to ravage the whole Atlantic seaboard of New England.

Sept.

The devastation which was threatened would have been enormous. The escape from it seemed to be due to extraordinary circumstances, as fortuitous or as providential as those which had attended the conquest of Louisburg. The fleet was crippled by losses in bad weather. A reinforcement which was to have met it missed the way and went back to France. A fatal fever spread among the troops. Reports of the approach of an English fleet divided the counsels of the officers. D'Anville died suddenly, — some said of apoplexy, some by poison. D'Estournelle, his successor, infuriated by the opposition of a council of war, killed himself with his sword. On its way from Chebuctoo to Annapolis, the fleet encountered a furious storm. Many vessels were wrecked. The rest bore to France the tidings of the disastrous failure. The experiment was repeated, and the second trial proved no more successful. De la Jonquière, with a powerful fleet having the same destination as that of D'Anville, in which he had lately served, fell in with Admiral Anson, and in an action which followed lost six of his armed vessels, his whole valuable convoy, a million and a half of treasure, and three or four thousand men taken prisoners.

Oct. 13.

1747.

May 3.

Meanwhile, mishaps on a small scale were experienced by the English. While D'Anville's arrival was expected, a party of French and Indians came down from Canada

1746. August.

and threatened Annapolis. A force sent by Shirley proved insufficient for the relief of the place, and, in an action fought in a violent snow-storm, the Massachusetts men were beaten, with the loss of sixty killed and as many wounded. In the same month Fort Massachusetts, in what is now Williamstown, the frontier post of the province on the northwest, was taken, with its garrison of twenty-two men, by a party of French and Indians. Another occasion for serious anxiety was furnished by the state of things at Louisburg. The winter had proved severe, and the troops, with their insufficient supplies, had suffered from epidemic sickness. Shirley reported that
May 10. "between the last day of November and the beginning of April upwards of eight hundred and ninety men had died."

While the forcible collection of soldiers for her armies has not, in the later ages, been the custom of England, the right of impressing seamen for the navy has till recently been claimed and acted upon by the government. The peculiar hardship imposed on a single class of persons, of being subject, without any principle of selection or any equalizing rule, to sudden arrest, and long detention in hard service and at a distance from their homes, could never fail to be regarded by the sufferers and their friends as oppressive in the highest degree. There was no reason in law why a seafaring man should be any more secure against a press-gang on a wharf in Boston than

among the London docks. But in Boston the terrible abuse had not been familiarized by custom. Now seamen were wanted for the defence of Louisburg, and, when the number obtained by voluntary enlistment fell short, the governor proceeded legally to impress them. The Legislature entertained complaints of the hardship thus imposed, but no means of relief were at present devised. 1747. April.

The question was presently to be tried over again in a form much more offensive to the citizens. They might bear from their own governor what would be intolerable when attempted by a rough sailor of the British service. When Warren and Pepperell came together to Boston, they left Louisburg in charge of Commodore Charles Knowles, the senior naval officer on the station. Knowles was a testy person, as sufficiently appears from his correspondence with Pepperell after this parting. By and by he, too, arrived at Boston with five or six ships, bringing Pepperell, who had been again passing some weeks at Louisburg on business of his regiment, which still remained there. At Boston a number of Knowles's men deserted, and he undertook to supply their place by an impressment. One morning his boats came to the wharves and carried away a number of mariners from the vessels moored there, and of journeymen and apprentices of the shipbuilding crafts. The General Court met the 1746. June 24. 1747. Oct. 2. Nov. 17.

same day. Boston was in flame. The bereft families clamored for redress and revenge. A mob assembled with all sorts of arms, and surrounded with outcries the governor's house, where some of the officers of the fleet were assembled. At nightfall a crowd of people gathered around the Town House, and threw stones and other missiles through the windows of the Council Chamber. The governor attempted to address them, but they refused to be satisfied with anything short of the detention of such officers as were in town, to be hostages for the men who had been kidnapped. The governor withdrew to his house, protected by a number of militia officers and other considerable persons. A merchant vessel's boat, mistaken for one belonging to the fleet, was dragged through the streets to be set on fire before the governor's house, but, in consideration of the danger of a spread of the flames in so thickly settled a neighborhood, the managers were persuaded to take it to the Common, where they made a bonfire with it. The next day the governor ordered a parade of militia, and the mounting of a guard at night; but the drummers were silenced, and not men enough turned out to form a line. The governor now thought himself in danger, and went down to the Castle. He wrote to the commodore urging the necessity of retracing his hasty step, but Knowles refused to consider the question till his officers on shore should be released, and threatened to bombard the town.

The General Court, in a sympathy with the mutinous people which it was natural for them to feel but unbecoming to avow, had not as yet departed from the routine of its common business. But, on the third day, when the governor's absence from his place seemed like a vacancy in one department of the government, and some of the more ardent among the movers declared that his withdrawal was an abdication, the Court thought that their inactivity could be justified no longer. Declining even to admit so much delay as would have been occasioned by reference to a committee, the House adopted a series of resolves, drawn up by its Speaker, Thomas Hutchinson, declaring that the "tumultuous, riotous assembling of armed seamen, servants, negroes, and others in the town of Boston tended to the destruction of all government and order"; that it was the duty of all civil and military officers to endeavor to suppress such proceedings; and that the House would "stand by and support" the executive branch of the government in the execution of this duty, and would at the same time endeavor to obtain the redress of such grievances as had occasioned the outbreak. An order of the Court for the release of the officers who were in durance was carried into effect without resistance. The inhabitants of Boston, in a town-meeting held the same day, in like manner pledged themselves to the cause of order, though in stronger language than had

Nov. 19.

been used by the Court they denounced the outrage offered to the citizens. The governor had prepared orders for troops from the neighboring towns to come in, but that critical step was rendered unnecessary by a large muster the next day of the militia of Boston, who reconducted him to his home with ceremonious respect. By the ad-

Nov. 21. vice of the Legislature, a proclamation of the governor, offering a reward for the apprehension of the ringleaders in the late disturbance, and assuring the citizens "that all due care should be taken for maintaining their just rights and liberties, and for redressing all and every grievance," was published at the head of the regiment of militia of the town of Boston, then under arms in King's Street. The commodore, uneasy, it is probable, by this time, as to the view which would be taken of his proceeding by his superiors at home, discharged most of the men whom he had impressed, and went to sea. Hutchinson had had his first experience of Boston mobs. He was not always to find them so harmless.

The parties to the fierce European conflict, having emptied their purses, were only too happy to make peace on the basis of the *state before the war;* that is, of a formal acknowledgment that they had been distressing one another to the advantage of no one of them. In the treaty of

1748. Aix-la-Chapelle, peace was bought for Great
Oct. 7. Britain at the price of the restoration of

Louisburg to France. It must be said, in partial explanation of what seems an extraordinary step, that widely conflicting representations were made to the British Ministry respecting the value of their conquest. Shirley gave them his judgment that Louisburg was "the key of both the French and British northern colonies." If the French had been able to hold it, it would, he thought, have "put 'em, some time or other, upon disputing the mastery of the whole of the continent with the British crown." Warren wrote that he agreed with Pepperell in wishing to have Louisburg "established as a civil government and a free port." Knowles rated its value altogether differently. His opinion was that the fortress was not worth the cost of keeping it up. "The fortifications," he said, were "badly designed and worse executed," and the climate was frightful. It was at the mercy of a hostile fleet, and required naval defence. "The weather destroys as fast as the engineer can build. . . . . Nature seems never to have designed this a place of residence for man." He hoped "soon to see an end to the vast expense of this bewitching idol."

1745. July 10.

Oct. 3.

1746. July 9.

1747. Jan. 20.

The surrender, nevertheless, was distasteful in the highest degree to the colonies by which the conquest had been made. How far a jealousy of their growing power, manifested by so conspicuous a demonstration, may have oper-

1748. Oct. 7.

ated to incline the English Ministry to this mortifying measure, cannot be positively affirmed. But an opinion was entertained in some quarters, that in the British counsels the vicinity of French settlements and forces was not overlooked as a means to keep the colonies in their allegiance to Great Britain. On the other hand, it is certain that for the prudence of retaining Louisburg as a means of overawing and controlling the colonies, the ministers had the eminently good authority of Governor Shirley. He wrote to the Duke, that if the King should be pleased to strengthen Louisburg with a garrison and a fleet, "it would, by its vicinity to the British colonies, and being the key of 'em, give the crown of Great Britain a most absolute hold and command of 'em, if ever there should come a time when they should grow restiff and disposed to shake off their dependency upon their mother country, the possibility of which," he added, "seems to me some centuries further off than it does to some gentlemen at home."

1745. July 10.

In other ways, at all events, it became apparent that the increased interest in the colonies of New England, created by their recent exploit, was not, on the part of the British government, of a grateful and friendly kind. A few years earlier a scheme of taxing the colonies had been conceived. Sir William Keith, governor of Pennsylvania, had proposed an extension, by Act of Parliament, of the system of stamp

1739.

duties to the American plantations. Sir Robert Walpole is said to have replied that he would leave that undertaking to "some successor with more courage than he had, and less a friend to commerce." The plan was revived under the feebler administration which now held the reins; but, on consideration of the difficulties involved, there was not for the present found courage to pursue it, though it had the unprecedented support of the governor of Massachusetts. Shirley wrote to the Duke of Bedford, recommending earnestly the erection of a line of forts along the frontier, which he said would be a proper charge upon the colonies; and he advised that a tax should accordingly "be laid by Act of Parliament upon the colonies, without which," he added, "it will not be done." In the year of the pacification the project, so often heretofore abortive, for annulling the privileges of the colonies, was renewed by a bill brought into Parliament for the repeal of the charters. The usual opposition was made by the colonial agents, and with an easier success than heretofore; the spirit which had lately been manifested in New England was such as it may have been thought imprudent to provoke by so offensive an act of arbitrary power.

1749.

Perhaps it was an expression of the popular displeasure against Shirley for his conduct in the affair of the impressment, and perhaps it was only a seizing of the opportunity of a quiet time

to keep alive in the governor's memory the fact that he was dependent upon them for his living, and that no grants in the past implied any prom-
1748. November. ise for the future, that the General Court voted for his yearly support a sum less than usual by one third. Their explanation was that the province was too poor to do more. He disputed the fact, and argued that in twenty years Massachusetts had doubled its population, and had increased its number of towns by twenty-five. At the time of the treaty of Aix-la-Chapelle, the population had in fact grown to the number of about two hundred thousand souls, of whom one tenth part lived in Boston, at which point substantially, and not without some temporary diminution, the population of the town rested for half a century. There were now one hundred and forty towns, of which nearly one half had been founded since the provincial charter.

It was natural that, after growing into such importance, Shirley should desire to show himself in England. There were also public objects to be served there. There was trustworthy intelligence that the French were strengthening their inland line around the English settlements by new intrigues with the Indians on the eastern frontier, and by establishing posts near Crown Point, and westward along the line of lakes. The recent treaty had not defined that boundary line between New England and New France, which had so long been a standing subject in dis-

pute, and the governor desired to exert himself for a definitive settlement of it. He accordingly obtained leave of absence for a year, and sailed from Boston for England, whence, a few months after his arrival, he was despatched to Paris to meet a French commissioner, and negotiate for a determination of the line. 1749. Sept. 11. 1750. April.

After the defeat of the second insurrection in behalf of the Stuarts, it was said that some of the partisans of that house, non-juring clergymen of the Church of England, had withdrawn to America; and ostensibly to counteract the anti-loyal influence which they might exert, a scheme was projected, with the especial favor of Sherlock, Bishop of London, and the Duke of Bedford, Secretary of State, for setting up an Episcopal establishment in the colonies. The English Society for Propagating the Gospel, which had the measure immediately in charge, provided against the hostility which it might be expected to encounter in the Puritan colonies by assurances that "no bishops were intended to be settled in places where the government was in the hands of dissenters, as in New England, etc., but authority to be given only to ordain clergy for such Church of England congregations as are amongst them, and to inspect into the manners and behavior of such clergy, and to confirm the members thereof." As the plan was more considered in England, such relations of it 1745. 1749.

came to light as seemed to require careful deliberation before the final step, and, other matters of more urgent interest intervening, it was for the present laid aside.

At the governor's departure, Lieutenant-Governor Spencer Phipps became chief magistrate. He was the nephew and adopted son of Sir William Phipps, and, at the death of Belcher's
1732. friend, Lieutenant-Governor Tailer, had succeeded him in that office. Shirley left incomplete a negotiation with the eastern Indians, whose good behavior was not sufficiently secured by the pacification which had been made in Europe. Commissioners appointed by the lieutenant-governor — Thomas Hutchinson, James
1749. Otis, and two others — met delegates of
Oct. 16. the tribes at Falmouth, and renewed the treaty made by them with Dummer a quarter of a century before. But this accommodation did not put an end to warlike operations in the country further east, which the French had no thought
Nov. 7. of relinquishing. The English post at Minas, near the isthmus which connects Nova Scotia with the mainland, was attacked by some natives, who, however, effected nothing more than to kill, or take prisoners, eighteen men
Dec. 18. of the garrison. The lieutenant-governor, when applied to by the English governor of Nova Scotia for aid in avenging this outrage, agreed with the General Court in thinking that an occasion had not arisen for a costly expedition

to such a distance. But an unfortunate occurrence nearer home occasioned apprehensions of a new disturbance from the natives. At Wiscasset, in a quarrel between some Englishmen and a party of neighboring Indians, one of the latter was killed and two were wounded. The resentment for this injury spread to the settlements on the St. Lawrence, where the French ecclesiastics never failed to avail themselves of an occasion for mischief; and a party of some eighty Canadian Indians took the war-path into Maine. The government proceeded against the alleged murderers in the due forms of law. One of the accused having been acquitted on a trial in the county of York, possibly by reason of his cause having enlisted the passions of the people and of the jury, the other two were sent for their trial to the county of Middlesex, and the Indian friends of the killed and wounded men were invited to come and judge for themselves whether the legal proceedings were fair. They declared themselves satisfied, but they had no sooner returned, than the bad temper of their Canadian allies began to show itself in attacks upon some posts by the Kennebec. The governor convoked the General Court, who ordered a levy of a hundred and fifty men for the defence of the settlements. But the pernicious marauders had already withdrawn within the lines of their French protectors.

1750. June 9.

August.

Sept. 11–25.

Sept. 26.

In a consideration of the best method of disposing of the large number of soldiers and seamen thrown out of employment by the peace, the British government conceived the project of establishing a colony in Nova Scotia. Parliament granted forty thousand pounds towards defraying the expense of the enterprise, and four thousand immigrants with their families came to the long well-known harbor of Chebuctoo, and there established a town which received the name of Halifax, in honor of the President of the Board of Trade. Louisburg having been restored to France, Halifax was to be the magazine for the maritime defence of the northern English colonies, and for the police of the fishing-grounds. Intrenched in strong-holds at Halifax, Annapolis, and other posts less important on both shores, the English had now military occupation of the peninsula. But there was a numerous French population, always an occasion of anxiety, and destined before long to give serious trouble. The *French Neutrals*, as they were called, were required, as a condition of their residence, to swear allegiance to the British Crown; but irrepressible sympathies, religious and patriotic, united them with their countrymen in Canada, and it was no secret on either side that they would be no more loyal to their English master than their safety from time to time might require.

June.

In the administration of Lieutenant-Governor Phipps an arrangement was completed which

retrieved the affairs of Massachusetts from a miserable confusion and embarrassment of nearly sixty years' standing. It may be convenient for the reader to be reminded in a few words of the circumstances in which the affliction of a currency of irredeemable paper money had weighed upon the colony a full half of the time from its settlement. The evil began with the large issue of provincial bills of credit applied to meet the exigencies of the first disastrous expedition against Quebec, under Sir William Phipps. The seductive idea which carried through that ill-omened measure was that it was but a simple method of anticipating the collection of taxes which could not be called in so speedily as the urgent occasion demanded. The bills retained a fair reputation for fourteen years, being, during that time, punctually redeemed as they fell due. But another expensive war followed, and sorely tempted the province again to run in debt. Bills were issued payable at the end of two years, then at the end of three years, then at more distant times. As promises to pay were multiplied, and pay-days were deferred, of course the public securities fell in value, and the hard dollars for which they were a cheap substitute disappeared from the country. The expedients of the *public bank* and the *private bank*, devised to create some trustworthy representative of wealth and medium of commerce, enlisted, until their futility was exposed by the trial, the

1690.

passions of rich and poor men, who saw their property melting away or their hard labor unremunerated. The English Ministry directed its governors to obstruct this smooth road to ruin, but to little purpose, for the only effectual method would have been to pay off in money the vast debt which the province had incurred, and this was what, with the best intentions, it was thought would have been simply impossible to do, because neither the province nor its citizens had property to be turned into money sufficient for that purpose, nor could the province borrow it, with its credit already so crippled by the condition of the debt which money was wanted to repay.

The British Ministry peremptorily instructed Governor Belcher to allow no issue of provincial bills payable later than the year which proved to be the last of his administration. The effect of this instruction, if carried out, would be
1741. that, in the year specified, the province would have to collect a tax of thirty or forty thousand pounds sterling. Thomas Hutchinson, afterwards governor, and already rising into high consideration (he was now twenty-eight
1739. years of age), proposed in the House, of which he was a member for Boston, the making in England of a loan in silver, payable in silver in equal instalments, with interest, through a series of years. The plan was too enlightened or too hazardous to find favor The opposition insisted that the inconveniences of paper-money

were less than those of a struggle to redeem it, and that, if, under the instructions to the governor, the General Court was precluded from issuing any more of it, the prohibition did not extend to private parties. They revived, accordingly, the scheme of the Land Bank, defeated twenty-five years before. Seven or eight hundred persons, some of them being men of property, but the generality having little to lose, associated themselves for the enterprise, and obtained for it the sanction of a House of Representatives, the election of which they were thought to have effected by popular agitation. 1740.

The company proposed to operate by lending bills to the aggregate amount of a hundred and fifty thousand pounds, the borrower to secure his debt by a mortgage of land, or, for sums not exceeding a hundred pounds, by a bond with two sureties, and to repay annually five per cent of the principal sum, with three per cent interest. It was imagined that notes so secured would circulate easily as a medium of exchange. But that expectation proved groundless. The bills were distrusted, and were only taken from the bankers to the amount of fifty or sixty thousand pounds. Parliament interposed, and declared by an Act, that a law of the preceding reign, placing the business of private banking under certain restrictions, was in force in the American colonies. The Act went further, and made the directors of the company liable to any 1720.

holder of the bills for their nominal amount with interest added, — a liability which was the more burdensome to the directors, as a large portion of the bills had been issued at a discount.

This scheme having failed, as it deserved, Shirley in the second year of his government was permitted by the Ministry to consent to a law for the emission of bills of credit of the *new tenor*, as

1743. January. they were called, receivable at the rate of six shillings and eightpence for an ounce of silver. The outlay of Massachusetts on the expedition to Louisburg was to the amount of two hundred and sixty-one thousand and seven hundred pounds in that currency, which was equal to about ten times as much in the old-tenor bills, and to a hundred and eighty-three thousand six hundred pounds sterling, as the exchange stood with London. It would have been the less decent for the British government to refuse to reimburse the province for this heavy expense, when for purely European objects the government had re-ceded to France the conquest of the province. William Bollan, Shirley's son-in-law, an Englishman by birth, an able and active lawyer, made Advocate-General after Shirley's promotion, was employed in urging the claim. After more than the customary delay and discouragements incident to such a business, Bollan

1749. Sept. obtained an allowance of the whole amount. It came over in solid coin of gold and silver, and the people of Boston, little used to the sight

of money, saw seventeen trucks dragged up King's Street to the treasury offices, laden with two hundred and seventeen chests full of Spanish dollars, and ten trucks with a hundred casks of coined copper.

A pound sterling would now buy eleven pounds of the old-tenor currency of Massachusetts, and about thirty shillings of the new-tenor. Before the arrival of the money, its use had been wisely provided for. Nothing is more honorable in the life of Thomas Hutchinson than his resistance to all the schemes which had been devised for substituting something else for an honest payment of debts. He had successfully opposed the private-bank project. He earnestly opposed the scheme for a public bank, till he found that it must be adopted as the less of two evils. When it became known that the expenses of the province in the expedition to Cape Breton would be repaid, he saw a prospect of extrication from the wretched insolvency of more than a half-century, and, against a violent opposition, he succeeded in making his sound views prevail. More than two millions of the provincial bills of the old tenor were in circulation. At the existing rate of exchange with London, the sum to be received would be sufficient to pay nine tenths of the amount. Hutchinson urged the devotion of it to this use, and the payment of the remaining two hundred thousand pounds by the proceeds of one tax, which he said the people, with their new pros-

pect of prosperity, would be well able to bear. This done, he would have a law declaring silver bullion at the rate of six shillings and eightpence the ounce, and Spanish dollars at six shillings each, to be the legal tender of the province.

The plan, though approved by the governor, found at first but little favor with the General Court or with the public. Respect for Hutchinson, who was now Speaker, induced the House to refer it to a committee, who would favor it no further than by proposing that the author of the scheme should embody his views in a bill. The bill was at first rejected by a strong vote, but on a reconsideration it was adopted, with some amendments which conciliated opponents. The money, when it arrived, took the place of the outstanding bills, expelling them from circulation; and for twenty-five years Massachusetts had the benefit of a solid currency. The home government interposed to secure the permanence of the reform. An Act of Parliament declared null any law of a New England Assembly making bills a legal tender in private transactions, and pronounced all governors who should approve such a law incapable thenceforward of serving the King in any public office.

1751.

In the tranquil period which immediately followed the termination of the war and the adjustment of the currency, an unsuccessful attempt was made to obtain a revisal of the provincial laws, some of which were complained of as

equivocal; others had been found to be conflicting; and others had by common consent gone out of use. In his superior's absence, the lieutenant-governor, with the Council's approbation, recommended a revisal. But the House dissented, being apprehensive that their whole legal system would be thus brought under the royal cognizance. The House before long took a different view of the question, but the Council had now altered its mind, and the scheme fell to the ground.

In Shirley's absence an old dispute was revived between the two branches of the Legislature respecting the power to appoint the Attorney-General. When it was last moved, in Governor Burnet's time, the practical decision had been in favor of the governor's power to appoint that officer. The charter authorized the governor, with the advice of his Council, to appoint officers belonging to the courts of justice. The House now, as formerly, maintained that the office of Attorney-General did not fall within this description; that, accordingly, he must be chosen by the General Court, agreeably to another provision of the charter; and that such had actually been the practice of the government since the time of Burnet. The Council held that, though in fact their Board had of late joined with the House from year to year in the election of an Attorney-General, yet successive governors had disapproved that method, and, accordingly, it had never acquired a legal char-

1729.

1751.

acter; and that, on full deliberation, they had determined not again to be a party to what they were satisfied was an erroneous practice. The House had no remedy, when the Attorney-General, nominated by the governor and approved by the Council, was recognized by the courts.

1750. A new and severe application of the oppressive colonial system was at this time made by an Act of Parliament forbidding, under a penalty of two hundred pounds, the erection or continuance, in the American colonies, of any slitting or rolling mill for iron, of any plating-forge with a tilt-hammer, and of any furnace for making steel. There were at the time four of the prohibited manufactories in Massachusetts, — two in the town of Middleborough, one in Hanover, and one in Milton.

That fearful malady, the small-pox, spread again in Boston. Of twenty-one hundred persons who were inoculated with it, only thirty-one died. It seized, without inoculation, fifty-

1752. five hundred and fifty persons, more than a quarter part of the population of the town, and of this number proved fatal to five hundred and fourteen, or nearly one in ten.

CHAPTER XI.

ADMINISTRATION OF SHIRLEY, CONTINUED.

In conducting at Paris the negotiation for defining the boundary of the territory which, by the name of *Acadia*, was ceded to Great Britain by the treaty of Aix-la-Chapelle, the British Ministry availed itself of the experience and local knowledge of Governor Shirley. For like reasons, M. de la Galissonnière, lately governor of Canada, was employed as commissioner on the part of the French. Their laborious conferences were fruitless. There was so much good evidence on both sides respecting the senses which in the course of more than a century had been put upon the contested name, that by parties devoted to such opposite interests it was impossible that a conclusion should be reached in this manner of discussion. The question could only be settled by compromise or war. The commissioners separated, reporting to their principals the impossibility of an agreement. Shirley returned to England, and thence, with every mark of ministerial favor, was sent back to his provincial government. 1752. May. 1753. Aug. 6.

At Boston, after his four years' absence, he was

received with a friendly welcome. The enthusiasm excited by the great exploit of the conquest of Cape Breton was not exhausted; his treatment of the province had, on the whole, been forbearing and confiding; and his ability and public spirit were beyond dispute. If he looked at his duty with the eyes of a servant rather of the King than of the province, there was not now as much as there had been of conflict between those two sorts of obligation; nor had he shown himself disposed to press offensively the governor's or the King's prerogative. He had done in his absence one foolish act, which, besides creating in suspicious minds an apprehension that he might have been brought under influences favorable to France, tended to impair in general the respect entertained for his good sense. At Paris, when past the age of threescore, he had been attracted by the beauty of a young girl, the daughter of his landlord, and, having married her, he brought her to Boston, — child and Catholic as she was, — to take precedence in the society of the Puritan matrons of Massachusetts.

Shirley resumed his government thoroughly acquainted with the critical condition of New England and of all British America at the time, and by no means unobservant of the career which was opened to his own ambition. His observations in Paris, and the experience of his negotiations there, had deepened his conviction that the French Court entertained designs which called

for measures of counteraction on the largest scale. The brilliant success at Cape Breton, attributed to his enterprise and good management, had created both in himself and in the Ministry an exaggerated impression of his military talents. He was by many degrees the most powerful Englishman in America.

He turned his attention first to the nearest danger. He had scarcely landed when he appointed a commission, with Sir William Pepperell at its head, to secure the fidelity of the eastern tribes of Indians. The negotiation was conducted to the most successful issue which it was ever worth while to expect from a treaty with these people. They renewed the professions and promises of five years before, and by so much was the time abridged in which they might afterwards pretend to forget the agreements into which they had entered. Sept. 20.

The grasp of French power, made continuous by Indian alliances more or less definite and stable, enclosed all the possessions of England on the continent of North America. The line of French military posts and missionary stations extended from the Gulf of St. Lawrence, up the river of that name, along the great interior lakes, down the rivers Ohio, Illinois, and Mississippi, to the Gulf of Mexico. The number of French was much inferior to that of the English. For at this time Shirley estimated the population of Massachusetts alone at two hundred thou- 1754 Jan 7.

sand souls, and that of Connecticut at two thirds as many. But for a contest the French had that great advantage of concentrated power, which has been more than once brought to the reader's notice. The King directed all their movements with the intelligent vigor of a single will. The antagonist power was dislocated and fragmentary. Some of the English colonies were bound to the parent government by only a partial allegiance; they often judged differently from that government on the question as to who ought to furnish the men, and especially the money, for carrying on a necessary war; there was no local authority to unite them in common counsels and action by superiority to them all. From some want of capacity, or want of endeavor, or dissimilarity of temperament, they failed to make fast friends of the native races, whose help was so material, and whose hostility so mischievous. While the light-hearted French soldier captivated the savages by his easy adaptation to all sorts of habits and circumstances, and the many-sided French ecclesiastic took their fancies with the stage-properties of his ritual mummery, the less sociable English always owed even that alliance with the Five Nations, which was so important a defence to them, less to any love for themselves, than to some advantages for trade which their geographical position enabled them to offer, and to the jealousy which they were able to inspire into those tribes of the designs of their more agreeable neighbors.

With the Five Nations (the Tuscaroras, fugitives from Carolina, did not come into that confederacy till later) the English had had treaties for nearly a hundred years, and they further held that by the treaties of Utrecht and of Aix-la-Chapelle the French were precluded from establishing themselves among those tribes. Yet the French had built and garrisoned forts at the eastern end of Lake Ontario; at the junction of Lake Superior and Lake Michigan, and at that of Lake Huron and Lake Erie; at the eastern extremity of the latter basin; and on both shores of the long reach of Lake Michigan; besides others nearer to their permanent settlements, as at Toronto, Crown Point, and the foot of Lake Champlain. "The French," Shirley wrote, "claim all the country lying to the westward of the Appalachian or Alleghany Mountains..... They seem to have advanced further towards making themselves masters of this continent within these last five or six years than they have done ever since the first beginning of their settlements upon it."

1712-1715. 1664. 1684. 1687. 1672. 1673. 1683. 1684. 1754. April 2.

Soliciting from the Ministry a supply of two thousand stand of arms, he urged upon them the necessity of attention to the defence of Nova Scotia. "When Nova Scotia is lost, the French may be looked upon to be in the end masters of the continent." Their great embarrassment, he said, was the difficulty of sub-

Dec. 8.

sistence. The soil of Canada did not yield enough to feed its own people. Cape Breton was scarcely better. Nova Scotia was fertile and productive. The possession of Nova Scotia would give to the French easy communications with Canada by the Bay of Fundy on the one side, and the Gulf of St. Lawrence on the other, and would offer to them a conquest of New England as far as to the Merrimack. It "would open an entrance for as many troops as they should think fit to pour in from Old France," and, New England overrun, there could, he argued, be no further resistance; for "the western colonies" were always exposed and weak by reason of their holding slaves. "Nova Scotia abounds with safe and commodious harbors, capable of entertaining larger squadrons than the same extent of sea-coast in any other part of the world." With Nova Scotia, New Hampshire would be lost, "from whence the royal navy is almost wholly supplied with masts, yards, bowsprits, etc."

1755. Jan. 24.

March 24.

The British Ministry had not been inattentive to the ill influence on the efficient action of the colonies resulting from their independence of one another, and its attention was now turned to the application of a remedy. The Board of Trade wrote to Lieutenant-Governor DeLancey, of New York, directing him to invite the respective governments of New Hampshire, Massachusetts, New Jersey, Pennsylvania, Maryland, and Virginia to

send delegates to Albany to confer with delegates from his own province concerning a more efficient system for the common defence, and a confirmation of the friendship with their Indian allies. The omission of Rhode Island and Connecticut from the list was probably owing to their being remote from the endangered frontier. Both, however, sent commissioners, who were accredited and received. On the other hand, Virginia and New Jersey were not represented. From the New England colonies, New York, Pennsylvania, and Maryland, twenty-five delegates came together. Shirley was not present at the Congress. The members of it most considerable, and since then most famous, were Thomas Hutchinson and Benjamin Franklin of Massachusetts, the former representing his native province, the latter coming from Philadelphia, which had been his home ever since he arrived at manhood.

1754. June 19.

1727.

The business with the Six Nations, which occupied several days, was satisfactorily concluded. Liberal presents were made on the one part, and liberal promises on the other. Before the Indians had gone their way, the commissioners from Massachusetts opened a new business, with which they alone had been charged by their constituents. In connection with the ministerial project for a better combination of means and resources for the common security, the General Court had called to mind the great benefit of the

New England Confederacy formed a century before; and, thoughtful of reviving and extending that arrangement, had given authority to its commissioners "to enter into articles of union and confederation for the general defence of his Majesty's subjects and interests in North America, as well in time of peace as of war." The commissioners passed a unanimous vote that "a union of all the colonies is at present absolutely necessary for their security and defence," and appointed a committee consisting of one delegate from each province represented to prepare the plan of such a union. Hutchinson and Franklin were members of the committee.

June 24.

Though only Massachusetts had instructed her commissioners on this subject, it had been canvassed in other provinces in the patriotic circles, and Franklin brought with him from Pennsylvania the sketch of a plan respecting which he had already consulted some friends possessing influence in New York. This was taken as the basis of a frame of general government, which was reported by the committee to the convention, and after a debate of two weeks was adopted by that body.

June 8.

June 28.

July 11.

The scheme contemplated the appointment and support by the crown of a President-General over all the English colonies on the continent of North America, except Nova Scotia and Georgia. He was to have a Grand Council, "to be chosen by

the representatives of the people of the several colonies met in their respective assemblies," and to consist in the first instance of forty-eight members, of which number Massachusetts and Virginia were each to send seven, and Rhode Island two, and no province was ever to have more Counsellors than the larger of these numbers, nor fewer than the less. There was to be "a new election of the members of the Grand Council every three years," and it was to meet every year, and as much oftener as it should be convoked by a vote of its own or by a summons of the President-General. The Council was not liable to "be dissolved, prorogued, nor continued sitting longer than six weeks at one time, without their own consent, or the special command of the crown," and a quorum was to be constituted of twenty-five members, of whom there was to be "one or more from a majority of the colonies." The President was charged with the execution of the orders of the Grand Council, but had a negative upon them. With the advice of the Council he might make peace or war with the Indian tribes; agree with them respecting regulations of trade and purchases of land; grant lands in the King's name, with a reservation of quit-rents for the general treasury; make laws for new settlements, subject to the pleasure of the crown; raise armies, equip fleets, and build forts, but not impress men in any colony without the consent of its legislature; "lay and levy general duties, im-

posts, or taxes," and provide for the custody and issue of public money. All laws made for these purposes were to be "not repugnant, but, as near as may be, agreeable to the laws of England"; they were to be forthwith transmitted to the King in Council, and were to be permanently valid, if not disapproved within three years. Military officers were to be nominated by the President-General, and confirmed by the Grand Council, and civil officers to be nominated by the latter body, and confirmed by the President-General.

The plan found favor in neither of the quarters from both of which it needed to derive support in order to go into effect. "The assemblies," according to Franklin, "all thought there was too much prerogative in it, and in England it was thought too much of the democratic." The colonial legislatures all disposed of it by disapproval or by neglect, and the Board of Trade would not so much as bring it to the King's notice. A different project, entertained by the British Ministry, was for constituting a central authority, to consist of the provincial governors with some members of their Councils, and to have command of a treasury supplied by colonial taxes laid by Parliament. Governor Dinwiddie, of Virginia, and others, would have had two confederacies, a northern and a southern. Governor Shirley practised reserve. On the one hand he might reasonably expect to be made President-General (or more than Lord-Lieutenant) of British America,

should such an office be created. On the other hand, he could have had no sanguine expectation of that result, and he might well fear that by any promotion of it he would jeopard his favor with the Ministry. When he became acquainted with the ministerial plan, he communicated it to Franklin, who came to Boston in the autumn after the convention; and a correspondence on the subject took place between them, in the course of which Franklin urged, with some of the arguments which afterwards became common, that it would occasion discontent in the colonies to tax them by Act of Parliament, as long as they had no representation in that body.

Though for two years longer England and France were not to be avowedly at war, the conflict between their respective colonies in America had already begun at the time of the Congress at Albany. The earliest scene of it was on the northwest border of Virginia. The French and Indians scattered along the river Ohio, having maltreated some English settlers and traders in that region, and the French commander to whom Governor Dinwiddie complained having refused satisfaction, the governor erected a fort for the protection of his people at the confluence of the streams which form that river. It was garrisoned with six hundred men, and mounted eighteen pieces of cannon. A French force captured 1754.
it and gave it the name of Fort Duquesne. April 17.
A skirmish between some of these French April 28.

and a detachment of Virginia militia first brought into notice the name of GEORGE WASHINGTON.

A few weeks later, while the Albany Congress was in session, Governor Shirley, authorized by his Legislature, proceeded at the head of five hundred men to take measures for the defence of the eastern country, where, as he wrote to Lord Holdernesse, Secretary of State, he was informed that the French had been establishing themselves on the uplands between the Kennebec and the Chaudière. No hostile preparations appeared on the part of the French or their allies in that region, and the governor returned to Boston, after building two forts on the Kennebec, within the sites of the present towns of Augusta and Waterville, which, as he told the Legislature, occupied the usual place of rendezvous for the Indians when they mustered for an inroad, and would command the route in that quarter to Quebec. Arriving at the capital, he received disquieting intelligence from the west. The natives about Stockbridge had been tampered with by French emissaries and had already committed some depredations in the English villages. But by friendly communications they were pacified, and tranquillity in that quarter was restored.

June 21.

April 19.

Sept. 9.

Oct. 18.

Sept.

The encroachments of the French along the line of the Ohio precipitated the war for which preparation had been making on both sides.

That it should be conducted with punctilious humanity on either side was not to be expected in the circumstances. The brutal Indian would not certainly be more merciful than the civilized soldiers who led him into the field. In the long course of these wars the ferocity which is one permanent element in the French character had been conspicuously displayed, and the bloodthirstiness of Popish zeal had lent its aid to invest the assaults upon the English with all circumstances of inhumanity and horror. The people of the New England colonies — especially of Massachusetts, which was chiefly concerned — believed that they should have no more trouble with the Indians, if the French were only out of the way. And with perhaps no sanguine hope after such dismal disappointments, yet with a stern resolve to bring about that all-important consummation, they engaged once more in the costly conflict. A prodigality of money and blood was not to be shrunk from, so it should relieve their posterity from the nuisance of such neighbors. And if at this calmer time they seem to us even to have resorted to any measure involving more than the customary rigors of war, it is fit we should consider whether, however repulsive in its severity, it may not justly or naturally have been considered as due to the necessity of self-preservation.

General Braddock and Admiral Keppel, in command of the British forces, met Shirley and others of the colonial governors in council

1755. April 14. at Alexandria, when it was concluded that the colonies were immediately threatened from four principal points, and that to these their own operations should accordingly be directed. The southernmost was Fort Duquesne, now Pittsburg, on the Ohio. About two hundred miles distant from it to the north was Fort Niagara, at the point where the water of the upper lakes discharges itself by the river of that name into Lake Ontario. This fort, with the work at Oswego, a hundred and twenty miles to the east of it, commanded that lake, and the relations of the two to Montreal, on the one side, and to Fort Duquesne, on the other, kept up the communication of Canada with the Ohio, and so with the Mississippi and the Gulf of Mexico. Further east and close at hand, the French menaced the New England settlements from Lake George and Lake Champlain, where they held Crown Point and Ticonderoga; while in Nova Scotia they continued to maintain a disturbing familiarity with the turbulent rout of eastern Indians.

The first scene of the great drama now to be played out was a peculiarly mournful one. Along the northwestern coast of the peninsula of Nova Scotia dwelt a people living comfortably by agriculture and fishing, descendants from the early French settlers. On the cession of Nova Scotia to Great Britain by France, by the treaty of Utrecht, they were required to take the oath of allegiance to the

1713.

British crown, which they refused to do, except with the reservation of not being compelled to bear arms against their former sovereign. This condition was for the time assented to, and they came to be known by the name of *French Neutrals*. Allowing for some dash of poetry in the account given of their character and condition by the Abbé Raynal, — from whom chiefly the recently current descriptions of them have been derived, — there appears to be no doubt that they were a virtuous, simple-minded, industrious, unambitious, religious people. They were rich enough for all their wants; they lived in equality, contentment, and brotherhood; the priest or some trusted neighbor settled whatever differences arose among them.

After the cession, the English, without disturbing the neutrals, attempted to establish some settlements in their neighborhood, but with little success. The pioneers were perpetually annoyed by the savages around them, whom they as constantly believed to be secretly stimulated and provided by the French, — a belief which was not without important confirmation when the French governor at Louisburg, on a complaint to him of the conduct of the Indians, said that it was not he or his people that stirred them up, but the Nova Scotia neutrals, who were British subjects, and for whom he was in no sort accountable. It was at the same time a substantial cause of jealousy and uneasiness that their priests were

appointed by the Bishop of Quebec; and in fact one of these priests had lately been detected in treasonable practices, and been expelled therefor from the country by the English authorities.

The French had been using the advantage of peace to hem in their rivals within the peninsula of Nova Scotia, and had fortified the isthmus which connects it with the mainland. The French within the province, with attachments notoriously, as well as naturally and blamelessly, on the side of their brethren in religion and blood, vastly outnumbered their English neighbors, their number being estimated at not much less than twenty thousand souls. Edward Cornwallis, the

1749. English governor, thought it necessary to

Aug. 1. require them to take the oath of allegiance without qualification. Deputies from the several

Sept. 6. districts replied: "The inhabitants in general, sir, over the whole extent of this country, have resolved not to take the oath which your Excellency requires of us. . . . . If your Excellency is not disposed to grant us what we take the liberty of asking, we are resolved, every one of us, to leave the country." And so the matter rested for the present.

The alarm of the new war with France came when six years more had passed. In the sequel

1755. of a correspondence between the British

May 20. commander on the spot and Shirley, now a colonel in the King's regular service as well as

governor of Massachusetts, two thousand provincial troops sailed from Boston to aid in repelling the expected French invasion of Nova Scotia. Their immediate commander was John Winslow, of Marshfield, but he was subordinate to Colonel Monckton of the British army. They took the French forts, and in the force which garrisoned the first of them that fell, they found three hundred of the so-called neutrals, — King's subjects in arms against the King. In the capitulation which followed, one of the conditions, afterwards much canvassed, was in these words: "the inhabitants to be left in the same situation as they were when we arrived, and not punished for what they have done since our being in the country."

What was next to be done? It was a period of great alarm, and fear is the most cruel of the passions. General Braddock's defeat in Virginia, just at the same time, had sent consternation through British America. Mismanagement and disaster were following Shirley's course along Lake Ontario. Baron Dieskau, lately arrived from Europe to take command of the French forces, was dashing up Lake Champlain and Lake George into the very heart of the strongest English colonies, while here, on nominally British territory, was a numerous disaffected people, within easy reach of Quebec, and near neighbors, on the one hand, to the fisheries on the Banks, and on the other to

July 9.

August.

those terrific Indian tribes whose tomahawks and torches had so often broken the slumbers of the peaceful border villages. They would be much more than a match for their English neighbors, when the army and fleet should be withdrawn, and would be strong enough to reduce Halifax and the other posts, and overrun the peninsula. To secure their harmlessness, in their present position, nothing less would be necessary than expensive forts and armaments, which the crown was in no wise inclined, and the New England people were in no condition, to maintain. Should they be dismissed to their countrymen in Canada, they would only go exasperated by their losses, or, at all events, under coercion from their superiors, to be so much addition to that formidable power which was already with so much difficulty kept in check.

Reasoning in this way, Lawrence, lieutenant-governor of Nova Scotia, and Boscawen and Mostyn, admirals on the station, determined, under their authority from the Ministry, on a course of proceeding, the severity of which it is grievous to record. They decided to remove these unhappy people from their homes, and disperse them, despoiled of their immovable property, in the more southern provinces. It was the execution of a plan which had been deliberately entertained for years. As long ago as immediately after the capture of Louisburg, Shirley wrote to the Duke that he had considered a plan for

burning the houses of some thousand French at St. John, who desired to be neutral, and sending them to Boston, and had only abandoned it in consequence of the alarm of the Duke d'Anville's fleet on the coast. Already he was sensible to the danger that the French, "with the help of the neutrals," would master Nova Scotia, and overrun New Hampshire and the mast-bearing country. He repeatedly advised a removal of the neutrals as the only measure which would give the needed security, and Knowles concurred with him as to the necessity of that measure. Shirley's urgent representations respecting "the expediency or rather necessity" of not only "dispossessing the French of their forts in the north end of the Bay of Funda," but of "expelling them out of Nova Scotia," were renewed as time went on. The present exigent posture of affairs precipitated the adoption and execution of the scheme.

1745. Sept. 22. Dec. 23. 1746. May 10. June 18. Nov. 21. 1754. Dec. 8.

On a set day the men were summoned to assemble at the chief places of their several districts, there to learn the royal pleasure respecting the disposal of their people. We have a particular account of the proceedings at Grand Pré, where Winslow had command, the centre of a settlement of nearly two thousand persons. The pitiless doom was announced to the men of Grand Pré in their church, where, unapprehensive of any such calamity, they had been

1755. Sept. 5.

brought together and surrounded. The young men were marched down first to the transports, then the old, then the women and children. For want of means of transportation, they were allowed to take nothing of their property but money, clothes, and household furniture. Their lands, houses, and farming stock were adjudged, in consequence of their failure to take the oath of allegiance, to be forfeit to the King, and their buildings were burned after the embarkation, that there might be no shelter for any who should stray back. About fifteen hundred went off with Winslow's command. The whole number of persons thus miserably exiled was reported to the government as being little less than seven thousand.

Sept. 10.

It would be unreasonable to suppose any intention of useless as well as hateful inhumanity, when it is added that, in the haste and disorder of the proceeding, there occurred separations of families, whose members, in the imperfect intercourse subsisting between the colonies at that day, passed years, or their whole lives, in vainly seeking for each other. The exiles were anything but welcome in New England. Their support was an uninvited burden, and their presence, by reason of national and religious animosity, was a vexation and offence. At the beginning of winter, a thousand of them were brought to Massachusetts, as unexpected as undesired. Their removal had not been made under colonial authority, and there

had been no arrangement for their reception and maintenance. The General Court, after some delay, passed a resolve, permitting them all to be landed, and directing them to be distributed among interior towns, there to be employed in getting their living under the superintendence of the municipal magistrates. Many elderly and infirm people, and such as had been of the wealthier sort, received gratuitous support. It was proposed to them to settle in a body on some of the province lands, but they refused, expecting confidently to be restored to their homes when peace should be made. Thomas Hutchinson, now a Counsellor, interested himself in their behalf, and prepared for their signature a Memorial to the British government, praying for restoration to their homes, or a just pecuniary indemnity. This he undertook to have favorably presented at court, but on consideration they decided not to proceed with the application, apprehending that it might prejudice them with the French government.

Though their worship with their families, and even in larger assemblies, was not interfered with, they were interdicted from the presence of priests of their persuasion, and this, with their feelings, was the last aggravation of misery. Some got away to the West Indies; some to Canada, where, however, their reception greatly disappointed them; and some even as far as the Falkland Islands, by Cape Horn. In the despera-

tion of their homesickness, a number of those who had been conveyed to the southern colonies built boats, and in them crept along the coast from Carolina and Georgia as far as Massachusetts, where they were stopped in consequence of a message from the governor of Nova Scotia, who had information of their proceeding. These, a hundred in number, were, like their friends who had come earlier, dispersed among the towns.

1759. When, four years after the catastrophe, Wolfe was before Quebec, he considered himself to have so good intelligence of a correspondence kept up between the exiles and the French authorities in Canada, that he wrote urgently to the governor of Massachusetts upon the subject. When peace at length took place, some had become reconciled to a permanent residence where they were, but most of the survivors, their movements being no longer obstructed, removed to Nova Scotia or to Canada, where their posterity exists to this day.

1755. June. While the forces from Massachusetts were making their descent on Nova Scotia, the Baron Dieskau, an officer who had served with reputation under Marshal Saxe, came to Quebec to assume the command of the troops. He was to have led to Lake Ontario an expedition which in his judgment promised great results, when suddenly news reached the capital that a force of English and Indians, destined for an assault on Montreal, had already reached the

portage between Lake George and the Hudson. This was in fact a force of about three thousand five hundred men, — Massachusetts and Connecticut militia, with a few from New Hampshire, — who, having been joined by some Indians at Albany, were on their way to Crown Point. The command of this army had been given by Governor Shirley to William Johnson, on account of his influence over the Indians. Johnson was by birth an Irishman; a nephew of Warren, who commanded the naval force at Louisburg. While young he had settled in the colony of New York, a little west of Schenectady, and engaged in a traffic with the natives. This, at the same time that it proved profitable to himself, led to friendly relations with them, which were cemented when he married the daughter of Brant, a Mohawk chief. Under him, Major-General Phinehas Lyman, of Connecticut, commanded the New England troops; Ephraim Williams, who by his will, executed on his departure for the campaign, became the founder of Williams College, was a colonel; Stark, afterwards of Revolutionary fame, a lieutenant; and Israel Putnam, a soldier in the ranks.

The troops had reached Wood Creek, at the southern end of Lake Champlain, and were lying there encamped, so secure as not even to have thrown up intrenchments, when Dieskau came up the lake with three hundred regulars, six hundred Canadians, and as many Indians. This is

his own account of his force, which the English relations represent to have been larger. He was confident of success, having been informed, as he records in a manuscript account of the affair which has been preserved, that "the New England men were such poor soldiers that an Indian would make ten of them run." His intention was to reach the rear of the camp of the English, and attack Fort Edward, at the landing on the Hudson, where was the chief depository of their ammunition and stores. But this his Iroquois allies suddenly, and to his great vexation, refused to aid in, on some vain pretence that the fort was on English soil, while the site of the camp was French.

Thus obstructed, he had no resource but to attack the camp, which had been surprised, meanwhile, with tidings of his approach. The English began hastily to fell trees and build a breastwork, while a thousand men, under Colonel Williams, were sent to reinforce the garrison at Fort Edward. Falling into an ambuscade, this party sustained a defeat, with the loss of Colonel Williams, and of Hendrick, the chief Indian commander. Dieskau thought that they would all have been cut off, but for the treachery of his Iroquois, who, instead of keeping profound silence, as they had been ordered, fired into the air, and discovered the ambush, as the combatants approached. The survivors fought their way back to their friends, who meanwhile had made

diligent use of their time, in preparations for the expected onset. The too confident French general met a reception at the camp far different from what he had been taught to look for. The New England marksmen, behind their intrenchment of logs, thinned the ranks of the assailants with deadly aim. Two or three cannon, served with more activity than skill, discouraged the Canadians and Indians. After an obstinate conflict of four hours, beginning at noon, the French began to waver, and the New England men, issuing with shouts from their rude work, chased the discomfited enemy through the forest, laying about them with the buts of their muskets. The rout of the fugitives was made complete, when they fell in with a body of rangers which had been despatched from Fort Edward to fall upon their rear.

In reward for the services of Johnson, who was wounded and left the field at the beginning of the action, and who had very little to do with the victory, which was won by the New England troops, he was made a baronet of Great Britain, with a gratuity of five thousand pounds. The loss of the Americans was about two hundred, killed and wounded. Almost all Dieskau's regulars fell. He himself has been said in the histories to have been mortally wounded. But such was not the fact. He received five wounds, one of them very severe, but escaped with his life, was carried prisoner to England, and finally was liberated at the

peace, and returned to France, where he lived some years. Before leaving his camp at the southern end of Lake George, Johnson built there a poor wooden fortification, to which he gave the name of Fort William Henry. It became the scene of a brutal massacre two years later.

Besides the expeditions against the French on the Ohio, in Nova Scotia, and at Crown Point, the convention of governors held on Braddock's arrival had laid out a plan for the capture of Fort Niagara, at the western end of Lake Ontario. The execution of this was undertaken by Governor Shirley, whose military capacity still continued to be highly estimated by those about him and by the British government, scarcely less than by himself. His own regiment and the regiment of Sir William Pepperell (both of regular soldiers) were employed in this expedition. On leaving Massachusetts, he was approached by the Legislature with an Address expressed in cordial terms of esteem and confidence. His destination was in the first instance to Oswego, where the river of that name enters Lake Ontario at its southeast corner. His route up the river Mohawk, and down the Oswego, was slow, and when he arrived on the shore of the lake he found his stock of provisions so reduced as to make it necessary to await a supply before venturing on a further advance. He had with him about fifteen hundred troops, nearly all of

June 28.

Aug. 21.

them regulars. Fearing that an attack might in his absence be made from Frontenac (Kingston), on the opposite side, he determined to leave two thirds of his force for the security of Oswego, while with the rest, and with the necessary siege artillery, he should proceed on the lake to Niagara. Heavy rains set in, which delayed the movement for three weeks, as four hundred men were to be transported in open boats. Meanwhile the Indian guides became discouraged; sickness spread in the camp; and in a council of war it was unanimously resolved to put off the undertaking to the following year, to build works for the security of Oswego and garrison it with seven hundred men, and to withdraw the rest of the army into quarters at Albany. All was disappointment and gloom. The failure in the northwest and the great disaster before Fort Duquesne were ill-compensated by the recovery of Nova Scotia. Massachusetts again had exerted herself far beyond her financial strength. On the expedition to Crown Point alone, she had spent a liquidated sum of eighty thousand pounds, besides the cost, not stated, for the care of sick and wounded soldiers of the garrisons of the two forts by Lake George. Sept. 18.

At Albany, on his return thither, Shirley received from the Lords Justices, the King being then on the Continent, a commission constituting him Commander-in-Chief of the forces in North America; a promotion which might seem worthy

to fill the largest measure of his ambition. He summoned the governors of all the colonies to a conference at New York, but was met there by only the governors of Connecticut, New York, Pennsylvania, and Maryland. The result of their deliberations was that the campaign of the next year ought to proceed upon an enlarged scale; that no less than ten thousand troops should be employed against Crown Point, six thousand against Fort Niagara, and three thousand against Fort Duquesne; and that if so much more should prove feasible, two thousand men should cross from the upper waters of the Kennebec to those of the Chaudière, and assault or alarm Quebec. Shirley had a plan of his own for a winter expedition against Ticonderoga; but the snow on which he depended for facility of transportation did not fall, and, relinquishing the project, he returned to Massachusetts to push an application for that large pecuniary supply which was the indispensable condition of further progress in the war.

Dec. 12.

The plan of operations for the next year, which had been agreed upon by the governors, was not cordially received by the General Court of Massachusetts. The expense which it would bring upon that province was said to be of an amount altogether unmanageable. The most which the Court would consent to do was to raise the province's quota of men, if the governor would make present provision of money sufficient for the pay

of the soldiers who had been in the field the last year, and for bounties for the enlistment now contemplated. The governor acceded to the proposal so far as to lend the province thirty thousand pounds of the King's money deposited with him as Commander-in-Chief, — the loan to be reimbursed from any allowance which should be made by Parliament, or, failing such allowance, from the avails of colonial taxes to be laid and collected in the next two years. On the strength of this arrangement, the province voted to raise thirty-five hundred men for service against Crown Point, and Shirley recalled Winslow from Nova Scotia to take the command. But the service was unpopular, and enlistments went on slowly, notwithstanding the inducements of a bounty on the one hand, and the apprehension of impressment on the other; so that so late as the end of summer scarcely three thousand men had been mustered. 1756. August.

The session of the General Court having terminated, Shirley returned to his camp at Albany. Here he received notice of being superseded as Commander-in-Chief by Colonel Webb, who was to hold that place "till the arrival of the Earl of Loudoun or General Abercrombie." "This is not owing," wrote Secretary Fox, "to any dissatisfaction with your services, but on the contrary, it is the King's intention, as a mark of his royal favor, to appoint you to be governor of Jamaica, in the room of Admiral April 21. May 13. June. March 13.

Knowles, who has desired leave to resign." In a
Aug. 9. few weeks Shirley returned to Massachusetts, having meanwhile received orders to repair to England. The tide which leads on to fortune had lifted him high, but had now turned. From the most recent experience, the English Ministry had come to entertain a different view of his military capacity from what was taken by the General Court of Massachusetts, who had lately extolled it in strong language, perhaps in rivalry with the Legislature of New York, whose favorite officer was Sir William Johnson. Johnson and Shirley were no longer on friendly terms, and
1755. Nov. 27. their disagreements had reached the knowledge of the Board of Trade, with whom Johnson was in high favor. "I greatly dislike,"
1756. March 31. wrote Lord Halifax, President of that Board, to Governor Hardy, of New York, "his [Shirley's] present behavior in his province"; while he wrote at the same time to Shir-
April 1. ley: "His Majesty's ministers . . . . . think it expedient, that as soon as Colonel Webb has superseded you in your military command, you should immediately return to England, in order to be consulted on several points relative to his Majesty's service, and the operations of the ensuing campaign."

Sept. 25. When the governor took his departure, the General Court expressed their esteem for him in the most cordial and earnest language. He never again held office in Massachusetts. After

hanging about the court a little while, he was made governor of the Bahama Islands. Retiring from that office, he came to establish in Roxbury a home for his old age. But he occupied it only a year, at the end of which time he died. 1771. April.

CHAPTER XII.

ADMINISTRATIONS OF PHIPPS AND POWNALL.

Spencer Phipps, who at this critical time came again to the head of the administration of Massachusetts, was now advanced in years. He was a man of good intentions, and of experience in public business, but of no more than moderate abilities. His adoption by his uncle, Sir William Phipps, who had no child, had given him a fortune, and with it a consequence which in other circumstances would not have belonged to him. He had been lieutenant-governor twenty-four years, and had previously been several years a Counsellor.

The state of things was most discouraging and most mortifying. The population of the New England colonies alone outnumbered that of New France in the proportion of more than four to one. The English were probably as much richer than the French as they were more numerous. Yet so adverse to them had been a succession of casualties, and their position — distributed into different communities, inapt for joint action and not seldom jealous of one another — was so ineffective for war compared with the condition of

their enemies controlled by a single absolute head, that they were not only exposed as much as ever to murderous inroads upon their extended frontier, but had no little reason to fear that devastation would be carried into the heart of their country. Not New York, nor even Boston, could be said to be more secure than Montreal or Quebec.

Notwithstanding the continued hostilities in America, it was only a few months before Shirley's departure from Massachusetts that the King of England declared war against France. The Earl of Loudoun was named Commander-in-Chief in Shirley's place. The plan of the year's campaign, as it had been determined in the conference of the governors at New York, was for three thousand men to be employed against Fort Duquesne, six thousand against Fort Niagara, and ten thousand against Crown Point, while two thousand were to create a diversion by approaching Quebec by the route of the Kennebec and the Chaudière. General Winslow, on taking command of the force destined for Crown Point, found it only two thirds as large as had been promised. The English General Abercrombie, temporarily commanding in chief, having brought a reinforcement of regular troops, a question arose as to the relative rank of royal and provincial officers, which delayed operations, and which was scarcely composed before Lord Loudoun came and assumed the command.

1756. May 17.

July 29.

He had no sooner done so, than he received intelligence which, besides its own painful import, deranged the whole scheme of the campaign. The Marquis de Montcalm had succeeded Dieskau in command of the French troops. He led a force of five thousand men, including Indians, against Oswego, where Shirley had left, under the command of Colonel Mercer, his own regiment and Pepperell's, consisting together of fourteen hundred men. Montcalm had brought a formidable park of siege artillery. The English were short of ammunition. Their commander was killed, and the garrison capitulated.

Aug. 13. Thus the conclusion of the costly operations in that quarter had been to re-establish the power of the enemy on the upper lakes, and, what was of the most serious importance, to institute an alliance between them and the Six Nations, who had now lost their confidence in the English power. Montcalm might be expected to show himself before long on Lake Champlain, where Crown Point and Ticonderoga still remained defiant. Loudoun arrested Winslow's expedition against Crown Point, and the troops between Lake Champlain and Hudson River remained inactive till they went into winter quarters.

1757. The following year, Lord Loudoun adopted a January. new plan of operations, to be carried out with the help of four thousand new troops, which, in a council held at Boston, he had en-

gaged the New England governors to supply. Having information of the arrival at Halifax of a powerful fleet, and an army five thousand strong, he left New York with six thousand men, intending to use the whole force in a descent on Louisburg. The undertaking came to nothing. Learning at Halifax that there were at Louisburg seventeen line-of-battle-ships, and a force of regulars more than half as great as his own, he lost no time in returning to New York. July 6.

Montcalm had turned the English general's absence to good account. He came up Lake Champlain with a force of eight or nine thousand men, including two thousand Indians. Fort William Henry was held by a brave officer, Colonel Monro, with a force of two thousand men. General Webb, with four thousand more, lay at Fort Edward, on the Hudson, less than twenty miles off. But, despairing of effectual resistance, he afforded the unfortunate garrison no aid. Montcalm disembarked his troops without interruption, and summoned the fort to surrender. This being refused, he formed a regular siege, and, pushing up his artillery, so disabled the English batteries, that on the fifth day from the summons Monro capitulated, his ammunition being nearly spent. It was stipulated, with the concurrence of the Indian chiefs, that the prisoners should march out with the honors of war, under a parole not to serve against Aug. 2. Aug. 4.

the French for eighteen months, and that they should be protected by a guard on their way towards Fort Edward. Sensible of the danger from the savages, Montcalm tried to keep from them the means of intoxication, but they contrived to elude him, and, becoming crazed in the course of the night, they fell upon the English when at dawn they were put in motion, and began an indiscriminate massacre. The French officers defended their prisoners to the best of their power, but it was little that they could do against the drunken assassins. Most who escaped owed their safety to a precipitate flight into the woods, from which, through many hardships, they straggled to Fort Edward. Some saved themselves by a return to the French camp. In such catastrophes blame is apt to be imputed without reason. There was at the time a complaint, but it does not appear to have been sustained, that the promised guard was not furnished by the French.

The intelligence of the capture of Fort William Henry spread dismay through the northern colonies. No fewer than twenty thousand of the militia of Massachusetts were presently in arms under Pepperell's command. But Montcalm did not pursue his advantage, though it would seem that he might have hoped by a vigorous movement to push his way into the heart of New England. Webb, who watched the path, was an incompetent officer, no match for the gallant

Frenchman, and his recent display of imbecility discouraged the hope of his offering any effectual resistance at the next step. Montcalm's inactivity at this conjuncture, so alien from his general character, awakens surprise and curiosity. The explanation of it appears to be furnished in the journal, lately brought to light, of a priest who accompanied a party of his Abenaki converts to the war. He says that most of the French Indians dispersed immediately on the fall of Fort William Henry. "Twelve hundred men," he adds, "were employed in demolishing the fort, and nearly a thousand in transporting the immense stores of ammunition and supplies which we had captured. There was hardly a handful of people left to face the enemy, had he undertaken to assume the offensive." He supplies another fact, — that the Indians massacred the wounded prisoners in the hospital. "I was a witness," he says, "of this. I saw one of the savages come out of a casemate, where nothing but an insatiable thirst of blood could have taken him, so insupportable was the foul air which it exhaled. He carried in his hand a human head, from which flowed streams of blood, and which he exhibited with as much joy as if he had seized the richest trophy."

Just at the time of this disaster, Thomas Pownall, brother of the secretary of the Board of Trade, brought to Boston his commission as governor of Massachusetts. Having Aug. 3.

come out to America as secretary to Sir Danvers Osborne, governor of New York, he had in the first place attached himself to the interests of Shirley, then Commander-in-Chief. Subsequently he deserted Shirley, and became the friend of his detractors, Lieutenant-Governor DeLancey and Sir William Johnson. He was promoted to be lieutenant-governor of New Jersey, and still held that office when he came to Boston. He superseded the Council, which by a provision of the charter was the supreme executive authority when there was a vacancy in the two higher offices. Lieutenant-Governor Phipps had been dead four months.

Phipps's death. April 4.

One of Pownall's first acts was to commission Pepperell as lieutenant-general of the forces of Massachusetts. That officer, with a quarter part of the militia of the province, had already been sent to Springfield with general instructions to protect the western frontier, and in particular, if the enemy should advance, to break the wheels of all wagons on the other side of Connecticut River, and to send all horses and provisions into the interior towns. But this vigilance was superfluous, while, in consequence of his losses by desertion, Montcalm was left inert upon Lake Champlain. Pownall wrote to Webb, that he had been injudicious in suffering such an alarm to go abroad from his camp, and that his plans of defence, inefficient and costly, would better be changed for an aggressive move-

Aug. 18.

ment, to which he (the governor) might be relied upon to give all possible support.

Lord Loudoun had reason to be out of humor with himself, but he allowed his irritation to lead him into a quarrel with Massachusetts, his most trustworthy friend. The General Court, having learned from the governor that a Highland regiment was on its way to Boston, ordered barracks to be provided for it at the Castle. Some officers of other regiments came about the same time, and took the different course of applying to the justices to quarter them on the inhabitants in the manner prescribed by an Act of Parliament. The justices declined to do so, on the ground that the Act did not extend to the colonies. Lord Loudoun was furious. He wrote from New York that there were at his Nov. 15. disposal one regiment of regulars in Connecticut, another on Long Island, another at New York, and two in Pennsylvania, and that he would march them all to Boston, unless the requisition was immediately complied with; and his messenger was ordered to remain only forty-eight hours for a reply. The General Court, after three or four days' consideration, instead of acknowledging the Act of Parliament to be binding upon their constituents, passed an Act of their own making similar provisions for the troops. This they transmitted to the Commander-in-Chief. Lord Loudoun stormed, and insisted that the General Court had no concern with the affair. The Court

stood firm, and sent a message to the governor affirming their opinion that the Act of Parliament in question did not affect the plantations, and that, as to the customs of war which Lord Loudoun had appealed to, the civil magistrate could not recognize them except as instructed by his own Legislature. The Commander-in-Chief accepted the provision of quarters, and gave up the dispute. It would not have recommended him to the favor of his new masters at home, to nurse a quarrel with the province on whose friendship they mainly depended to carry out their comprehensive projects.

There was one unfortunate incident of the transaction. The General Court, eager to preserve concord when so much was at stake on both sides, and perhaps too carelessly trusting to their favorite Hutchinson, whose ambition and insinuation were already making him dangerous, included in their Address, prepared by him, some expressions which created embarrassment in later times. "The authority of all Acts of Parliament," they said, "which concern the colonies and extend to them, is ever acknowledged in all the courts of law, and made the rule of all judicial proceedings in the province. There is not a member of the General Court, and we know no inhabitant within the bounds of the government, that ever questioned this authority. To prevent any ill consequences which may arise from an opinion of our holding such principles,

we now utterly disavow them, as we should readily have done at any time past, if there had been occasion for it." The writer of this Address, when, several years having passed, he came to refer to it as an historian, found himself prompted to insist that these were the habitual and well-considered principles of the legislators who made the declaration. The state of things was such that, for the sake of present good-will, the Court was sorely tempted to concessions liable to prove troublesome at a later time. On the other hand, in the military necessities of Shirley's administration, the House had revived and maintained its claim, so vigorously asserted in the time of Governor Shute, to revise the actual expenditure of moneys which had been granted. They renewed the same pretension with Governor Pownall, and he gave way to it, though not without reluctance, nor till after remonstrance against it, as "a breach upon the constitution of the charter, and an infringement on the rights of the crown." 1758. June 25.

In the spring Lord Loudoun came to Boston for a conference with the General Court. But the parties did not like each other, and their negotiation was abortive. He asked for a large levy of troops. They inquired, for how long; under what officers; how to be paid and supplied; where to serve; with what additional force. An angry quarrel seemed to be impending, when an express to Lord Loudoun informed him that he

was relieved as Commander-in-Chief, and that General Abercrombie was his successor. Pitt wrote to Abercrombie "in the greatest confidence," that the King wished "to repair the losses and disappointments of the last inactive and unhappy campaign."

1757. Dec. 30.

This was the measure with which William Pitt undertook to inaugurate a better state of things in America. After the retirement of the Duke of Newcastle, Pitt became one of the Secretaries of State, with Lord Holdernesse for his colleague, in the ministry of the Duke of Devonshire. But the King, who disliked him, did not yet understand how necessary were his services, and dismissed him after four months. Pitt took no measures to avert the fall. He knew that he should rise from it the stronger, for already he was the object of the cordial confidence of the people, who did not fail to clamor loudly against the treatment he received. The King was harassed by the clumsy administration of the public business, and the Duke of Newcastle, whose overtures Pitt had hitherto rejected with civil contempt, loved office so well that at length he consented to resume it, with his vast parliamentary influence, at the price of every concession demanded by the popular favorite. The Duke became the nominal head of the Ministry, with Pitt for one of the Secretaries of State. Lord Holdernesse was the other, from whom, as well as from

1756. December.

1757. April.

June 29.

the prime minister, the great statesman had no longer any troublesome interference to apprehend.

With Pitt's accession to real power a new energy was infused into all departments of the government. His liberal and vigorous policy for the American colonies was to win confidence and so secure support; and the calamitous course of the events of the last few years was about to be turned back with a sublime impetuosity. The colonies believed him when he professed his purpose to procure for them immediate and permanent security against the French and Indian enemy; to encourage and remunerate with liberality the arduous exertions which they were making for the common cause; and to withhold the government which he conducted from any pretensions adverse to their rights. The consequence of this generous design was seen in the imposing array of twenty-eight thousand provincial troops, of which number Massachusetts contributed one quarter part. On the other hand, the presence in the colonies of twenty-two thousand regular soldiers attested that the parent country was intent on serious work. Pownall wrote to Pitt that, notwithstanding Massachusetts had to pay seventy-three thousand pounds in the present year, and a somewhat larger sum in the next following, besides the ordinary annual expense of the government, which was thirty-seven thousand five hundred

1758. March 26.

pounds sterling, "exclusive of any military operations," yet the Court had voted to borrow twenty-eight thousand pounds for the approaching campaign, and that "such was the spirit of the people . . . . . that, upon the treasurer's opening his subscription, it was filled in twelve hours."

Sept. 30. Again he wrote, six months later, "that the military expeditions of the last three years had cost the province more than two hundred and forty-two thousand pounds, of which sum seventy thousand pounds had been reimbursed by the crown"; that "the tax upon estates real and personal . . . . . arises in the town of Boston to thirteen shillings and twopence in the pound"; and that it was "a certain fact that the country had been hitherto preserved by the efforts which this province had made. . . . . This province ever did, ever will, and ever must take the lead when a spirited measure is expected."

But the great minister had yet to find a commander fit to serve him in America. Abercrombie was a disappointment to him. As soon after receiving his appointment as the arrangements could be leisurely made, that well-intentioned, but sluggish officer addressed himself to the recovery of the posts by Lake Champlain, and led thither more than fifteen thousand troops, three fifths of them provincials. Montcalm, with three thousand six hundred men, Canadians and French, awaited him at Ticonderoga. With his

accustomed activity and skill, the French general had intrenched himself as well as his imperfect means allowed. His exterior lines were composed of piles of timber, in front of which trees had been felled, with their sharpened branches pointing outward. An incident very unfortunate and dispiriting to the English preceded the main attack. Two small parties, French and English, surprised each other by meeting in the woods at night. The French, three hundred in number, were beaten, and one hundred and sixty of them were taken prisoners. But the young Viscount Howe, in command of the English party, an officer greatly beloved by the provincial soldiers, fell mortally wounded in the skirmish. Massachusetts erected a monument to him in Westminster Abbey. 1758. July 6.

Two bridges in the way to the fort had been destroyed as the English approached. The British general, disconcerted and perplexed, took new courage when they were restored under the direction of a provincial colonel, and when his chief engineer, sent to reconnoitre the French works, reported them to be in feeble condition. The New England officers knew better, and would now have had him more considerate, as they would just before have had him more bold. Information that Montcalm was on the eve of receiving a large reinforcement decided the English general not to wait for cannon to force the lines, but to storm them at once with his mus-

July 8. keteers. The attack was made with desperate bravery, but against all chances of success. The English, pushing on with the bayonet, had their ranks broken among the sharpened branches of the felled trees, which made a barrier eight or nine feet in height, and, as they struggled in the net, suffered immense loss from the troops within the works, who had been ordered to reserve their fire till it could be delivered with that advantage. The carnage lasted four or five hours, during which time the English lost in killed and wounded between nineteen hundred and two thousand men, three quarters of whom were regular troops. According to the account of this brilliant exploit, preserved in the French archives, the number of French killed and wounded, respectively, was one hundred and six, and two hundred and sixty-eight, of whom fourteen killed and twenty wounded were officers.

Montcalm had gained a success due to eminent courage and conduct. His adversary managed everything amiss. The English, after their heavy loss, were still four times as numerous as the enemy, and within easy reach they had cannon which could without difficulty have cleared a way through the rude work that had intercepted them. But Abercrombie ordered a precipitate retreat, and did not stop till he had reached the head of Lake George, whence he sent his artillery and ammunition for safe-keeping to Albany.

Montcalm, astonished and not less amused by his misconduct, harassed his rear with parties of Indians, and skirmishes took place, in one of which Israel Putnam, since of Revolutionary fame, then a major of rangers, fell into the hands of the savages, who, after scalping his companions, tied him to a tree, and kindled a fire to burn him, when a French officer coming up interposed, and rescued him for a different destiny. When intelligence of this affair reached England, Sept. 18. Pitt wrote to Abercrombie that the King had heard of it "with much concern," and promoted Sir Jeffrey Amherst to supersede him in the chief command.

According to the record just now quoted of the defence of Ticonderoga, "this brilliant day was the salvation of Canada." It proved a short-lived deliverance. The tide which had rolled crushing disaster on the English was at last about to turn.

The Massachusetts Colonel Bradstreet, who had won reputation at Louisburg under Pepperell, and who seems to have been the source of whatever life and intelligence there was in the grand army of the English, prevailed on Abercrombie to permit him to attempt to retrieve the late misfortune by an expedition against Fort Frontenac, now Kingston, on the north side of Lake Ontario, just above its outlet into the St. Lawrence. The scheme had been proposed by him before Howe's death, and the cordial interest

with which it had been accepted by that lamented nobleman made it a sort of bequest from him to the provincial troops. Investing the place with three thousand men, mostly provincials, who had brought eight or ten pieces of cannon, Bradstreet compelled the garrison, after two days, to surrender at discretion. The acquisition of the place was important, not only from its relation to the command of the lake, but from its being a depository of stores and of munitions of war for the posts at the west and south. From sixty to eighty pieces of artillery fell into the victors' hands, besides abundance of other supplies, and nine armed vessels lying in the harbor. More than a third of Bradstreet's command consisted of men of Rhode Island and Massachusetts. It suffered little from the enemy, but before its return was more than decimated by the epidemic malady of the limestone region of the lakes. The exploit contributed to the important result, which followed before long, of the reduction of Fort Duquesne by General Forbes, or rather by Colonel Washington. On the failure of supplies expected from Fort Frontenac, the Indians dispersed from Fort Duquesne, and the French, unsupported, were too few to maintain the place.

Aug. 27.

Nov. 25.

While Abercrombie was blundering and miscarrying on Lake George, his second in command, Sir Jeffrey Amherst, with two men among his officers, James Wolfe and Isaac Barré, soon

to be renowned, the one for military, the other for civil service, was pressing the siege of Louisburg. The operations were on a different scale from those of the time when that fortress, thirteen years before, had been beset by a few inexperienced regiments of New England militia. Admiral Boscawen, with twenty ships of the line and eighteen frigates, conveyed fourteen thousand regular troops to Cape Breton. The French garrison, consisting of twenty-five hundred regular troops and six hundred militia, made an obstinate defence. It held out seven weeks, losing fifteen hundred men in killed and wounded. Wolfe was much applauded for his gallantry at the landing, and in a successful assault on an outpost. Two hundred and forty pieces of cannon, and a great amount of stores and ammunition, fell into the hands of the English. The town had been almost ruined in the bombardment. More than fifty-five hundred men, soldiers and seamen, were sent prisoners to England. The fate of Quebec was foreshadowed.

June 2–July 27.

June 8.

Wolfe was a man of mark after this campaign. He went to England, and there received the most flattering attention from Pitt, whose sure eye selected him as worthy to conduct the most difficult part of the decisive operations which the minister was meditating against the empire of France in America. Amherst took back his troops by sea from Louisburg to Bos-

Aug. 31–Sept. 13.

ton, whence, without delay, he marched them westwardly for a junction with Abercrombie.

1759. The programme for the next campaign involved complicated movements, intended to bring three large English armies to a junction before Quebec. General Prideaux, in command of a force composed principally of provincials with some Indian auxiliaries, was first to secure Lake Ontario by the capture of Fort Niagara at its western extremity. Sir Jeffrey Amherst, with an army of twelve thousand men, about half of them colonial troops, was to push down Lake Champlain and the St. Lawrence, taking Montreal in his way, and, having been joined by Prideaux's force from above, to form another junction before Quebec with an army of eight thousand regular troops, who, under the command of Wolfe, holding "the rank of major-general for that expedition only," were to be convoyed from Louisburg by a powerful fleet.

Prideaux was killed in some of the preliminary operations of his expedition. But, under Sir William Johnson, who succeeded to the command, the object of the movement, the capture of Fort Niagara, was effected, and in the prosecution of its further enterprise, the army moved down the lake. It was belated, however, by the tardiness of the earlier movements; and want of provisions and of the necessary shipping ultimately prevented the accomplishment of that part of the plan. A similar delay frustrated the

part which General Amherst was to have taken. Whether this was to be attributed to his own want of activity and enterprise, or to the essential difficulties of his situation, may admit of doubt; but what is certain is that Pitt, than whom no one can be supposed to have been more impatient for success, expressed confidence in his spirit and abilities, and approbation of his conduct. The French retired before him as he passed down Lake Champlain; and Ticonderoga, Crown Point, and the work at Isle-aux-Noix, further north, successively fell into his hands. But meanwhile time had worn away, and he had just got his flotilla ready for an embarkation on the St. Lawrence, when the intelligence reached him that he was no longer wanted at Quebec, and he withdrew his troops into winter quarters. 1759. Dec. 11.

Wolfe, coming from Portsmouth to Louisburg, and thence, with the force of about eight thousand men which was awaiting him, to Quebec, found there no circumstance of encouragement whatever, except in the resources of his own genius and the valor and discipline of his troops. The place was extremely strong by nature, and though by no means the fortress that it is now, had been fortified at considerable cost. The force opposed to him was in number materially superior to his own, under a general of experience and of distinguished ability, who possessed its enthusiastic confidence. There was no June 26.

reason to expect the seasonable arrival of the two armies from up the river, which had been intended to co-operate with his; if anything was to be done that year, the task rested on himself. To add to other discouragements, he was in reduced health, and much of the time unable to be on horseback. He established a battery on the south side of the river, but its guns were too low to produce much effect on the steep elevation of the upper town of Quebec, of which the citadel makes part. He landed his troops on the north bank below the city, and formed there a camp, facing that of Montcalm, who had intrenched himself on the opposite side of a small tributary stream. Here, rather it would seem in impatience of inactivity than with any good hope of success, Wolfe ordered an assault, which miscarried. He fell into a fever, which disabled him from so much as holding a pen. When he was able to write to England again, it was in great despondency, in which feeling the whole nation shared when the intelligence was spread. "There is," he said, "such a choice of difficulties, that I own myself at a loss how to determine."

July 31.

Sept. 2.

At length his three young brigadier-generals conceived and proposed to him a plan, which he consented to, as the least hopeless of the desperate resorts of which the case admitted. The fortifications of the city were known to be weakest on the western side, where the high plateau called the Plains of Abraham connects

the promontory on which Quebec stands with the mainland, its other sides being protected by the water. The difficulty was to effect a landing, and to scale the steep ascent in the face of the defences which had been erected all along by the skilful and vigilant French general. It seemed a forlorn prospect, but it was the only one. For a feint, the ships were ordered to ascend the river, to a considerable distance above the city, as if with a design to attempt a landing there. From the fleet, four hours before the dawn of a day of early autumn, Wolfe, with his officers next in command, and about half his force, dropped down the river in boats to the landing-place which he had fixed upon, beneath a steep bank. A sentinel from the shore challenged as the boats passed, but was answered by a Highland officer in French, and made to believe that it was a party of his own comrades. Enough of Wolfe's men got up in silence to overpower by a sudden onset the guard at the top of the acclivity. The first difficulty surmounted, the rest was easier. Confidence was created, and the men worked with a will. Two or three cannon were drawn up the precipice by main strength, and when the sun rose, four thousand men in battle array fronted the city from the high western plain. Sept. 12.

Montcalm, who was at the camp below, heard the news with astonishment, but still supposed that it must be only a small marauding party. Coming in haste to the citadel, and seeing the

truth with his own eyes, he took at once an imprudent resolution, which has been explained by a story that he was goaded by a recent taunt of Vaudreuil, the governor, who was not his friend. He said that he must fight before noon, and overwhelm the rash invaders with numbers. He made his dispositions accordingly, arranging his troops in order of battle before ten o'clock. Their number, according to the best authorities, was half as large again as that of the English. But more than one third of Montcalm's force were Canadians and Indians, while that of Wolfe consisted of British regulars, in the highest condition of efficiency. On either side were only two or three pieces of cannon.

The French advanced boldly to the attack. The English stood motionless till the enemy, who allowed themselves to be broken by the unevenness of the ground and their rapid movement, were within forty yards, and then received them with one slaughtering volley of musketry along the whole line, immediately following up their advantage by a charge with the bayonet. There was no resisting the fury of their onset. One fierce shock, and the whole affair was over. The French gave way, and retreated within the city, and to their lines below it. General Wolfe received three wounds, the last of which was mortal. Before he expired, he was told that the French were routed, and gave an order for intercepting their retreat.

Monckton, his second in command, was likewise badly hurt, and the direction of affairs devolved on General Townshend. Montcalm and his lieutenant also fell in the action. The French general was carried from the field into the city, where, being told that he had but a few hours to live, he said, "So much the better; I shall not then see the surrender of Quebec." The officer on whom the command devolved applied to him for orders, but he declined giving them, saying that he must pass the little time that remained in the more important business of communion with God. Before the war closed, letters highly honorable to both parties passed between De Bougainville, one of Montcalm's officers, and William Pitt, in which the latter gave permission for an inscription commemorative of the French general to be transmitted and set up in one of the French churches of the city.

The battle had not been long finished, when De Bougainville, who, detached to prevent a landing, had gone too far up the river, came down upon the rear of the victorious English; but the time had passed for him to effect anything, and he withdrew to Three Rivers and Montreal, followed by as many of the French army without the city as remained unhurt. About one thousand French were killed and wounded, and as many taken prisoners. The English loss was nearly six hundred. General Townshend proceeded with preparations for a

siege of the city, but it capitulated at the end of five days, upon which the fleet left the St. Lawrence with Townshend, who went to tell the story in England, leaving General Murray to hold Quebec. The French population of the city was reckoned at that time at ten thousand.

Sept. 17.

As things were, the conquest of Quebec involved that of Canada. The rest followed as of course, unless the city could be recovered. Early in the spring, De Lévi, who had succeeded Montcalm in the chief command, with the French army which had retired to Montreal and had been there reinforced by six hundred Canadian militia and a body of Indians, made an attempt which might well have proved successful; for hardship and sickness, occasioned by the extreme cold of the winter and a scarcity of suitable provisions, had reduced Murray's effective force to three thousand men. On nearly the same ground as the field of battle of the preceding year, an engagement ensued, in which the English were worsted and driven back within their works, with the loss of a thousand men. The French general followed up his advantage, and proceeded with the regular approaches of a siege. But before there was time for anything decisive, a powerful British fleet appeared in the river, and De Lévi withdrew to Montreal.

1760. April 28.

June.

To that city the operations of the summer

were of course directed. Amherst, having secured the forts on Lake Champlain, marched with a force of ten thousand men, regulars and provincials, to the eastern end of Lake Ontario, where Sir William Johnson joined him with a thousand Indians, and they proceeded together down the lake and river. Before Montreal they met Murray, who on the same day arrived there with his force from Quebec; and the following day came the detachment which had been serving on Lake Champlain. DeVaudreuil, the French governor-general, was himself in Montreal, where he signed a capitulation surrendering Canada and all its dependencies to the King of Great Britain. The people thus made over to a foreign sway were eighty thousand in number.

Aug. 10.

Sept. 10.

Thus the great secretary, in the words of Grattan, had smitten "with one hand the house of Bourbon, while he wielded in the other the democracy of England." The French empire in America, built up through so romantic adventures, the child equally of the ancient chivalry and the ancient religion, was now no more. Its adventurous discoverers, its politic rulers, its gallant soldiers, and its priestly martyrs had illustrated it alike. It had brought the strongest contrasts of the social state, the brilliant Parisian and the Indian of the American lakes, to stand side by side. Its explorers, Cartier, Champlain, La Salle, Marquette, and others of less name, had

with their intrepid curiosity opened a new world to the knowledge of Europe. The presence of their followers might have proved a blessing to the red men, had there been no rival civilized power on this continent. For the accommodating Frenchman easily conformed his habits to theirs, and won them by his versatile talent and his inexhaustible gayety. In his negotiations he treated them as equals, not wounding their pride, as the English did, by requiring professions of subjection and allegiance. His policy towards them had greater uniformity and consistency, not being subject, as in the case of his rival, to as many different counsels as there were contiguous colonies. The religion which he offered, condescending in its ritual to a correspondence with their rude natures, found a sort of access, through their senses and imaginations, to their consciences and hearts. And, at all events, its ministers — often men of distinguished talent, culture, and address, yet so consecrated, heart and soul, to their work, that they passed years, and often lives, of hardship, privation, wearing toil, and perpetual danger in instructing and humanizing their barbarous converts — could not fail to exert the power, and do the good, which always belong to self-forgetfulness and to evidences of good-will. But the temptation to use to a hurtful end the power thus disinterestedly acquired was too great for the safety either of the leaders or the led. The distresses which these poor people had been made

the instruments of their martial and priestly guides to inflict upon their neighbors, make one of the saddest stories one can read. With intervals, and with different degrees of horror, this barbarity of Indian war under French influence had been going on more than eighty years. It did not stop at all too soon; and for putting an end to it, were that alone their merit, the names of Chatham and Wolfe should be dear to humanity.

But there was another bearing of this war and this treaty, not then generally perceived, though indistinctly apprehended by some far-sighted men, which, seen in the light of later events, attaches to them a singular importance. Very uncertain are the calculations of politics, and very mysterious are the ways of Providence. Great Britain was at vast expense to wrest the Canadas and their dependencies from her ancient enemy, and immense was the triumph through all her wide empire when the deed was done. "The morning drum-beat which circles the globe with one continuous strain of the martial airs of England" was never more exultingly laid on, than when the tidings of that conquest leaped from post to post beneath the folds of the red-cross ensign. But, in the unravelling of the web of events, the cost which Britain had been at for that conquest proved to have been only just so much expense laid out on the throwing away of the brightest jewel in her own crown. The fall

of the French empire in America was but the signal for the mutilation of the British empire. Sixteen years only passed from the fight on the Heights of Abraham to the fight on the Green at Lexington; and the later of these events, in a just construction of the case, was a logical sequence of the earlier.

King George the Second can scarcely have heard of the capitulation of Canada. But the old man — he had reached the age of seventy-seven years — died in a blaze of triumph. The illustrious commoner whom he had put in the place of the routine-bound line of Whig nobles had in less than four years raised the English power from deep depression to the height of greatness. The French navy was all but driven from the sea. The empire of England was established in the East Indies. The French empire in America was crushed.

1760. Oct. 25.

Massachusetts had three hundred men in the force which captured Quebec, besides several hundred employed in the fleet. A large number of her troops were serving under General Amherst, and twenty-five hundred were in and near Louisburg, relieving regulars detached under the command of General Wolfe. The province had made these and other exertions under extraordinary discouragements.

Governor Pownall's interest with the Board of Trade having procured him the appointment of governor of South Carolina, an office attractive

in point of emolument, he took his departure for England, to proceed thence to his new government. He left in Massachusetts a good reputation. With some failure in that gravity of manners which among so sedate a people was thought to beseem his place, the conciliation which he habitually studied accomplished its amiable purpose. He was diligent and impartial in the business of administration, and in particular his plans of economy were well conceived, and carried out with important success. He had liberal ideas respecting the relation of colonies to the parent country, and did and said nothing to awaken a jealousy of arbitrary designs. And the generous policy of the British minister of course attracted good-will for the magistrate who was the channel of his communications. Both branches of the Legislature parted from the governor with affectionate Addresses of farewell. The Council complimented him on "an administration short, indeed, but active, vigorous, and filled with affairs great and important." 1760. June 3. March 22.

A few weeks before the surrender of Canada, Francis Bernard came to Massachusetts as governor. He was a graduate of the University of Oxford, and had been a practitioner in the Court of Chancery, and subsequently, for two years, governor of New Jersey, as successor to Governor Belcher. 1760. Aug. 4.

CHAPTER XIII.

NEW HAMPSHIRE, CONNECTICUT, AND RHODE ISLAND.

Belcher was the last governor of the two provinces of Massachusetts and New Hampshire. On his recall the latter government was conferred on Benning Wentworth, son of the late lieutenant-governor. Like his father, he had been acting in opposition to Belcher. He had been a prosperous merchant in Portsmouth, a member of the Provincial Assembly, and afterwards a Counsellor. Business growing out of an unfortunate speculation in lumber carried him to London at
1740. the time of the removal of Governor Belcher. There he cultivated the friendship of Tomlinson, agent for the province, who had influence with the Court, and who, having first failed to obtain the government of New Hampshire for Colonel Dunbar, Belcher's most conspicuous rival in that province, procured the nomination for Wentworth, as on the whole the next most important member of the dominant local party. Through his English patron, and for a consideration of two thousand pounds sterling, paid to Dunbar, Wentworth also obtained the office of Surveyor of the Woods, valuable to him

at once as being lucrative, and as relieving him from the embarrassments to which the governor was exposed from interference on the part of an officious Surveyor.

Wentworth's administration began with exchanges between him and the Assembly of abundant assurances of good-will and confidence, from which censures on the late administration were not wanting. He would have turned his favor with the Representatives to account by engaging them to pay him a fixed salary, and to remunerate adequately the agents whom they had employed in England. They made a grant to Tomlinson of a hundred pounds. They said they should better know what they were able to do for the governor, when the population of the province should be defined by the settlement of the boundary lines; and meanwhile they promised him an annual salary of five hundred pounds. He turned Belcher's practice against Belcher's friends by appointing his own partisans to office. He attached himself to Governor Shirley, who on his part found it advantageous for the prosecution of his large schemes to stand well in a quarter whence he might derive material assistance. 1741. 1742.

The project of the expedition against Louisburg appears to have been first conceived in New Hampshire. William Vaughan, son of the former lieutenant-governor of that province, had at the time the credit of having first suggested it to

Governor Shirley. Vaughan had never been at Louisburg, but his attention to the condition of that place had been stimulated by his pecuniary interest in the fishery of the eastern seas. When the enterprise was resolved on by the General Court of Massachusetts, a result which was said to have been promoted by his appeals to the merchants, Vaughan addressed himself to the Assembly of New Hampshire, where he found willing hearers, and a vote was passed for raising an auxiliary force of two hundred and fifty men. The question of the ways and means was less simple, for Wentworth had brought an instruction to prevent the further issue of bills of credit, except for the single purpose of repaying advances already made by the King. But the governor of Massachusetts showed a way to dispose of this scruple. Shirley wrote that he had obtained permission to deviate from a like instruction given to himself, so far as to permit an issue of bills, to be applied solely to the purposes of the war, and that Wentworth might reckon on being pardoned for the irregularity, if without express leave he should do the same thing. In a difference between the House and the Council respecting the time for the redemption of the bills by taxation, the judgment of the latter body prevailed, and bills were issued to the amount of thirteen thousand pounds, payable in annual instalments after six years. Shirley wrote to Wentworth that, but for his disability of the

1745. Feb. 1.

Feb. 2.

gout, he should have wished to make him Commander-in-Chief. But when the governor of New Hampshire replied that there was nothing in his health to prevent his going on that service, he was informed that, in the opinion of judicious persons who had been consulted, a reversal of the existing arrangement (with Pepperell) "would be attended with great risk both with respect to the Assembly and the soldiers." The truth was, that in the time between Shirley's two communications the desired grant of money had been made by New Hampshire, and the governor's good-will was no longer worth so much.

The force of five hundred men, which in an armed sloop and transports New Hampshire sent to Louisburg, was estimated as being equal to one in eight of her men of military age. Of these a hundred and fifty were taken into the pay of Massachusetts. The rest, constituting a regiment under the command of Colonel Samuel Moore and Lieutenant-Colonel Messerve, arrived at Canseau two days before the fleet from Boston. Vaughan, holding the rank of lieutenant-colonel, but unassigned, and permitted to act where his humor led him, was busy everywhere. The regiment, whose second officer was a ship-carpenter, built sledges on which they dragged the cannon into position through the half-frozen mire. New Hampshire men took part in the defeated attempt on the island, and were detailed to the exposed service of building May 26.

a battery at the lighthouse. When a general assault was talked of, Colonel Moore, who had been a sailor, volunteered with his regiment to take the French sixty-gun prize into the action; and when the Vigilant was manned in a different way, they got leave to serve as marines on board of another vessel. Vaughan esteemed his merits on this expedition to have been such as to entitle him to distinguished notice from the ministers, and he accordingly went to England, and applied to the Duke for the government of Nova Scotia.

1746. Feb. 28. He proposed to people that peninsula, which he said he could do "with a great number of Protestants from Germany, Switzerland, England, Ireland, Scotland, New England, &c., and make it one of the most flourishing provinces in America." That suit proving ineffectual, he solicited "the Collector's post in the Massachusetts Bay, and Surveyor-General of the Woods." But he obtained neither, and after a year's fretting experience of ministerial antechambers, he died in London, disappointed and poor.

May 16.

Dec.

Great hopes were entertained by the people of New Hampshire as to the consequences of the capture of Louisburg. But the quiet of their frontier homes was not to be won there. Weary years were yet to pass before they would be safe. When Shirley projected those further operations against New France, which were frustrated by the inaction of the imperial govern-

July.

ment, New Hampshire made the contribution, so vast in proportion to her means, of an enlistment of eight hundred men, with ample provision for transportation and supplies. The report of the Duke d'Anville's being at sea created a sense of danger nearer home, and the troops were employed in constructing and garrisoning works at Portsmouth and elsewhere along the coast. Meanwhile the Indians had resumed their invasions of the settlements on the now extended border, burning, ravaging, maiming, and murdering at the places now called Keene, Westmoreland, Charlestown, Hopkinton, Boscawen, Swanzey, Hinsdale, Winchester, Rochester, and Concord. In thirteen months thirty persons were killed by the savages, and more than twenty were carried away captive. When no mischief was done, the English were distressed by the necessity of constant vigilance, and their experiences of daring and suffering exhibited all the various adventure incident to guerilla war. The contest was too unequal. The soldiers were discouraged, and preferred to enlist in the marching regiments. The province discontinued the remote garrisons, and the inhabitants withdrew, abandoning their dwellings to the enemy, and burying such of their effects as they had not means to bring away.

Sept.

1745. July – 1746. August.

November.

This exposed state of the northern frontier was not disregarded in Massachusetts. Charlestown,

the uppermost post on the Connecticut, was one of those which had been deserted. Captain
1747. March. Phinehas Stevens, sent to occupy it with thirty rangers, found the work which had been erected there in good order. He was presently attacked by a force of French and
April. Indians, who with burning missiles, and with other devices, attempted for three days to set fire to the fort, but without success. The French commander invited Stevens to a parley, and proposed to convey his men, unarmed, as prisoners, to Montreal, threatening as the alternative to put them all to the sword, should they make further resistance. The fight was resumed, and after three days the assailants withdrew, two Englishmen only having been wounded and one killed. The successful maintenance of the post was a great relief, and its brave defenders were much applauded. After two years more of hostilities of this almost purposeless but distressing
1749. character, the hollow peace patched up at Aix-la-Chapelle between the ambitious powers of Europe promised a period of repose to the harassed dwellers in the New Hampshire wilds.

When the prospect of another war was taking shape, the French, as usual, were beforehand in their preparations, and they could set their wayward Indians on the work of blood without subjecting their own King to be questioned for a breach of his engagements. The old maraudings were revived with the old ferocity. They

were partly checked when Massachusetts again sent troops to occupy Charlestown, as a post commanding one of the natural lines of travel from Canada. A New Hampshire regiment, under Colonel Blanchard, did good service at Lake George, against Baron Dieskau; and the gallant conduct of another, under Colonel Gilman, contributed to all that was favorable in the issue of the campaign. "The danger of becoming slaves of France," wrote Wentworth to the Secretary of State, "has at length raised a spirit, and it appears to be almost universal, equal to the ancient Romans. Out of the three hundred men I have raised in this province, not a man can be marked out but substantial farmers and freeholders, who engage upon no other principles but to secure freedom and happiness to their posterity."

1754. August.

1755. Sept. 8.

Sept. 17.

Meanwhile the absence of these troops left the interior of the province exposed in a way by which the watchful savages did not fail to profit. From St. Francis they came down upon the Connecticut, and at Hopkinton, Keene, Charlestown, Walpole, and Hinsdale committed their customary devastations and massacres. Lord Loudoun, informed of the efficiency of the rangers of New Hampshire, caused three companies of them to be organized, under the command of Robert Rogers, and the two brothers, William and John Stark, of whom the

1756.

latter was afterwards a brigadier-general in the war of the American Revolution. These rough and hardy soldiers knew nothing of winter quarters. No Indian camp was secure against them in the bitterest night or the thickest wood; no French intrenchment could depend upon its scouts for warning of their stealthy and swift approach. Troops of New Hampshire shared
1757. in the gallant defence of Fort William
Aug. 3. Henry, by Colonel Monro, and eighty of them fell in the perfidious massacre that followed. When the enemy was expected to push his advantage and come down to the settlements, New Hampshire soldiers, to the number of two hundred and fifty, were for the first time sent to hold the post at Charlestown. But they remained there undisturbed through the anxious winter, though the savages appeared in the neighborhood, where they killed two or three men, and carried off some prisoners and cattle.

1758. The new confidence which was inspired
April. when Pitt came into power stimulated New Hampshire to raise at once eight hundred troops, of whom mechanics, to the number of more than a hundred, went to Louisburg under the same officer, Colonel Meserve, who, thirteen years before, had rendered such good service at that place, and who was destined to die there at this time, of the small-pox. The rest
1759. joined Abercrombie at the West, and partook of his ill fortune. In the following summer

a New Hampshire regiment, a thousand strong, under the command of Zaccheus Lovewell, brother of John Lovewell, of Pequawket memory, served with General Amherst at the taking of Ticonderoga and Crown Point.

The reader who has borne in mind the disproportionately large share which had all along fallen to New Hampshire of the miseries inflicted by the savages in their inroads on New England, will have expected to see the soldiers of that province terribly in earnest, whenever they could come hand to hand with their cunning and cruel enemy. While Wolfe was before Quebec, the ranger officer, Rogers, (now a Major,) was despatched with two hundred men from Crown Point against the Indian village of St. Francis, which he reached by a march of three weeks. Concealing his men at a little distance, he entered it in disguise, and, having made his observations, returned to lead an assault, which took place just before dawn. The Indians, aroused from sleep after a riotous night, made but a feeble resistance. Many were killed under their roofs, and many in flight. The repeated horrors by the Piscataqua were partly avenged. The victors retired with a valuable booty, for St. Francis had long been a place of deposit for the spoils of the English border. The English had but one man killed in the action, and only six or seven wounded. But they were sharply pursued on their retreat towards Connecticut River. After

Oct. 3.

a dispiriting march of a week or two up the valley of the St. Francis, they dispersed on the eastern shore of Lake Memphremagog, and in small parties went on their several ways through the forest. Some came into Charlestown, weary and half famished. Others, exhausted, lay down to die on the way, as was known when, years after, their bones were found by the settlers who had reached that mountain region.

On its way to Montreal in the following year, 1760. the force under Sir Jeffrey Amherst was July 31. joined at Crown Point by eight hundred soldiers of New Hampshire, who, for the greater despatch, had made a new road for themselves over the mountains and by Otter Creek. They were present at the capitulation of Montreal, and the consequent release of English prisoners, among whom they found a family which, while they were on the march, had been carried off from Charlestown by some Indians. To New Hampshire, even more than to any other community of New England, the conquest of Canada was an event of the most joyful significance. Her settlements had never known assured repose since their earliest day. For more than eighty years, since the fugitives from Philip's war had offered themselves as guides from the banks of the St. Lawrence to the New England towns, their lives, from childhood to the grave, had been disquieted by ever-present apprehension in the intervals when they were not made miserable by recent

distress. They had been kept poor by the interruptions and discouragements of industry, as well as by the expenses of war. While they could sustain life in their homes on coarse fare, as a community they had to live upon credit, and even that the crown, not unwisely, was reluctant to have them use with any freedom. It was an alleviation of the hardships of the time, that since the war began, the seasons in New Hampshire, as in the other colonies, had been favorable to the harvests. Different weather prevailed in the next two years, and there was a scarcity of provisions which made costly importations necessary.

The ancient question respecting the title to lands in New Hampshire had not been put to final rest in the course of transactions connected with the removal of Governor Belcher. A sum of money for which Tomlinson, acting for the Assembly, had stipulated with young Mason as the consideration for a release of his claim, had remained unpaid for six years. It was not without reason that Mason was dissatisfied with the delay, and, on returning from the expedition to Louisburg, in which he had commanded a company, he gave notice that unless he had his money forthwith he should treat with other purchasers. The Assembly did not proceed quickly enough, 1746. for on the same day when they informed Jan. 30. him that they were ready to fulfil their part of the bargain, he had conveyed his interest to a company, consisting of twelve persons, who were

to hold it in fifteen shares. The company partly protected themselves against the popular displeasure provoked by this transaction, by a quit-claim grant which covered the four original towns of the province, and twelve others, now settled, which lay within the territory included in Mason's patent. The Assembly offered to the company to buy their right by refunding the purchase-money and costs. The company negotiated till there had been time for the public agitation to subside, and then declined the proposal. They professed to be willing to accept it, if a condition should be annexed that the lands, when acquired by the province, should be disposed of by grants of the governor and Council, — a condition to which the Assembly would not assent, insisting that the lands should be subject to their grant, so as to be secure against influences of favoritism and corruption. No agreement could be made. The company proceeded to exercise their rights of proprietorship with a liberality which disarmed prejudice and apprehension. They made gratuitous grants of lands, subject only to the conditions that mills, roads, and meeting-houses should be built in every plantation, within specified times; that provision should be made for the maintenance of the ministry and of schools; and that a certain proportion of the land should be set off to themselves. The heirs of John Allen protested against this occupation, and Tomlinson's confidence was so

August.

1748.

shaken that he advised the company, as a measure of prudence, to buy off their claim. But the company, trusting in the goodness of their title, in their own local influence, in the advantage of possession, and in their policy of combining the common interest with their own, decided that they might without risk save their money; and the result proved their wisdom. The pretensions of the claimants under Allen subsided gradually into final silence.

While the boundary line between New Hampshire and Massachusetts was under discussion, Governor Wentworth, in his writs for the election of a new Assembly, included a few towns which had hitherto been understood to belong to the latter province. This occasioned a dispute between him and the House of Deputies; he maintaining the privilege to be vested in him, as a royal governor, of summoning towns to the popular branch of the Legislature at his discretion, as the king had done when it was instituted; the House maintaining, on the contrary, that towns authorized to be represented in their body had always been designated by itself. The Lords Justices (the King being on the Continent), informed of this state of things, and that the House had refused to admit the governor's members, directed him to dissolve the Assembly, and to issue new writs as before. The House persisted. They again refused to admit the members elected under the governor's

1744.

1749. Jan. 3.

authority, and they chose for their Speaker a person obnoxious to him as a former friend of Governor Belcher. He refused to approve the choice, and the House maintained that in so doing he transcended his authority. Angry messages passed between the parties. For three years the Assembly was adjourned from month to month, transacting little but formal business. The province's securities declined alarmingly in value. The governor got only part of his salary. The public accounts were not adjusted. Offices, depending on appointments by the Legislature, remained vacant. The soldiers of the late war suffered for want of their pay.

The supposed contumacy of the province disturbed its friends in England. Tomlinson, though he thought that the governor had not been altogether conciliatory and discreet, wrote that the Ministry would certainly sustain him in the assertion of his prerogatives. The agent for Massachusetts pressed for reimbursement of the cost of keeping up Fort Dummer, and proposed to receive it in the form of an accession of territory from New Hampshire. That province was blamed for not availing itself of its share of the war subsidy (thirty thousand pounds sterling), as Massachusetts had done, for a resumption of specie payments. But the Assembly was not discouraged nor deterred. Some of them sent to London a complaint against the governor, thinking, should it succeed, to replace him by Sir William Pep-

perell. To complain to the King of a magistrate for obeying the King's orders was too unpromising a scheme to be pursued, and the remonstrance never went further than the hands to which it was intrusted for delivery. The completion of the three years' official term of the Legislature had brought exhaustion and soberer thought, and a new Assembly met, desirous of putting affairs upon a better footing. The governor made fair professions, and followed them by a skilful policy in the distribution of his official patronage. The House increased his salary, and ceased to vex him by their choice of a Speaker. The public accounts were adjusted. The contribution from England was judiciously invested, agreeably to a general consent; and the opposition to the governor, having no definite abuse to rally upon, was weakened, and at last disappeared. The border towns were repeopled by a return of their inhabitants dispersed by the war. The province was extended by grants and settlements along the Connecticut River, on both sides; and, in the little time till the next war began, there was a novel enjoyment in New Hampshire of quiet and prosperity. 1752. Jan. 2.

Of all the colonies of New England, Connecticut had experienced far the least the evils of an inconvertible paper currency. So sparingly had her bills of credit been issued, and so judicious were the arrangements for their redemption, that they were little, or not at all, depreciated down

to the time of the expedition against Louisburg, though, six years before, the exertions made by the colony to meet the requisitions from England in the war against Spain required a new issue to the amount of forty-five thousand pounds. Active military preparations were made for that war. The harbor of New London, which was thought specially exposed, was fortified anew. A ship of war was equipped, and arms were distributed in the frontier towns.

1739.

1743. October.

The Ministry, having proposed to raise four regiments in the American colonies, for service in the West Indies against Spain, required the colonies to provide transportation and supplies till their troops should join the royal forces, — a demand to which Connecticut promptly acceded. The New England volunteers, a thousand in number, shared in the misery of Admiral Vernon's disastrous expedition against Carthagena on the Spanish Main. Nine hundred of them never returned.

1741. March. April.

When the expedition against Louisburg had been determined upon in Massachusetts, and application had been made to the other colonies for aid, Governor Law, of Connecticut, convoked a special meeting of the Legislature, which immediately voted to enlist and arm five hundred men, besides a hundred seamen, and take upon itself the charge of their transportation, supplies, and pay. They were

1745.

Feb. 26.

formed into a regiment, and placed under the command of Lieutenant-Governor Roger Wolcott, to whom Governor Shirley, again overlooking the claims of Wentworth, of New Hampshire, gave the place of second in command of the expedition. Three weeks after Pepperell's arrival at Canseau, Wolcott joined him there with the Connecticut contingent, bringing the army, with the New Hampshire men who had come four days earlier, up to the number of four thousand men. During the siege the colony sent a reinforcement two hundred strong, and after the troops first levied had been released at the surrender of the place, three hundred and fifty men were contributed by Connecticut to the garrison, charged with holding it till permanent arrangements should be made in England. The expense, as it was represented to the King, had "run the colony extremely into debt, and reduced it to a very low ebb." Yet Connecticut raised a thousand men, ten times as many as Virginia, for what proved the abortive enterprise against Quebec, in the following year. When, some months after, Governor Shirley, with Governor Clinton, of New York, projected the winter campaign against Crown Point, the General Assembly of Connecticut refused its aid, on the ground that various existing circumstances were so unfavorable as to make it prudent to husband for the present the resources of the colony.

April 25.

Aug. 16.

1746.
May 8.
June 19.

1747.
Jan. 28.

At this time took place a domestic transaction as little creditable as any in the history of Connecticut. When, more than thirty years before, the northern boundary of that colony was adjusted,

1713. Massachusetts had surrendered to it an equivalent in land for the towns of Woodstock, Suffield, Enfield, and Somers, which it was agreed should still remain within her jurisdiction, though a more accurate running of the line of latitude designated in the charter showed them to lie within the patent limits of Connecticut. The greater weight of taxation in Massachusetts, or some better cause, prompted the inhabitants of those towns to desire to be annexed to Connecticut, to which colony, they said, they had a right to belong, having been detached from it with no consent of their own, and without any royal confirmation of the proceeding. The Assembly lent a favorable ear to the representation. They resolved to make the most of the fact that the

1747. May. agreement had received no royal sanction, and appointed a commissioner to negotiate with Massachusetts for a retrocession. Massachusetts, naturally disinclined to lose the fruits of a bargain into which, at best, she had in a manner been coerced, refused her consent to the arrangement. Connecticut directed her agent in London to present the matter to the King. The traditional practice of the King's advisers, when any question of boundaries arose between the smaller jurisdictions and the powerful colony of Massa-

chusetts, to settle it against the latter, was not departed from in the present instance. Connecticut got the disputed towns, and Connecticut, or Yale College, her assign, kept the property which Massachusetts had paid to quiet the claim that had been made for them.

The College, under the presidency of Mr. Williams, continued to rise in the public regard, of which it received substantial proof in the multiplication of endowments by the colonial government and by private benefactors. Bishop Berkeley, who became interested in it during his residence in Rhode Island, gave it money for the promotion of classical studies, and nearly a thousand volumes for its library. After thirteen years' good service, Rector Williams was compelled by feeble health to resign his place. He afterwards attained other kinds of consequence, in the characters of Speaker of the House of Representatives, Judge of the Superior Court, and colonel of one of the regiments raised for an invasion of Canada. In his academical office, he was succeeded by Mr. Clapp, minister of Windham, under whose administration the College, continuing to prosper, received from the Legislature a charter, 1745. May 9. which created a perpetual corporation, to consist of the President and ten other Trustees, with power to fill their own vacancies with Protestant successors, and to hold and manage funds, to appoint governors and instructors, to lay out courses of study, to confer degrees, and in general,

without responsibility to any Board of Visitors, to do all acts necessary for carrying on an institution of learning in the higher departments.

A body of laws was adopted for the internal government of the institution, the laws of Harvard College having originally been the rule; and alphabetical and systematic catalogues of the small library were made. With funds to
1752. the amount of nearly twelve hundred pounds sterling, raised by a lottery and granted by the Legislature, a second College building was erected, a hundred feet long and three stories high. The plan of appointing a Professor of Divinity, much promoted by the President, arose from, and in its turn stimulated, discussions respecting the claims of private conscience in religion, and the extent to which doctrinal instruction ought to enter into a scheme of academical discipline. The Rector, whose notions accorded with the ancient rigor, defended his plan
1754. in a published treatise entitled "The Religious Constitution of Colleges." Against an opposition, which this argument did not a little to provoke, the Rector carried his point with the Trustees. Mr. Naphtali Daggett, a minister of Long Island, was made Professor of Divin-
1756. ity, and some affluent persons, who sympathized with the movement, made contributions towards his support. A church was formed for separate worship and administration of the ordinances. The ecclesiastical policy of the Rector

already divided the opinions of friends of the College, and was offensive to large numbers of the inhabitants of the colony. At a later period these dissensions took practical shape in an attempt, defeated by the very able opposition of President Clapp, to withdraw the institution from the hands of the close corporation 1763. constituted by the charter, and bring it under the control of the Legislature, to be exercised through a Board of Visitors. At the time of the death of King George the Second, Yale 1760. College had sent out nine hundred and sixteen graduates, and had a hundred and forty-three undergraduate students, while the more ancient Harvard College had but a hundred and seventy-one. The smallness of this disparity may have been partly caused by the easier terms of admission at the younger institution, and partly by its greater convenience of access from the southern and middle colonies.

The administration of Governor Law 1741–1750. was chiefly marked by its opposition to the religious revival promoted by Whitefield and his friends. Law, dying in office, was 1750. succeeded by Lieutenant-Governor Roger November. Wolcott, of Windsor, with Thomas Fitch in the second office. After three years' satisfactory service, Wolcott fell under the displeasure of the voters, on account of a supposed want of vigilance in protecting a Spanish vessel, which had put into New London in distress, and had there

been robbed of part of her cargo. The Spanish ambassador in London complained of the transaction. It was supposed that the colony might have to make good the loss; and from that apprehension, as well as from resentment of what was represented as official negligence, Wolcott at the next election was superseded in the chief magistracy by Thomas Fitch, whose place as lieutenant-governor was taken by William Pitkin. Fitch was governor twelve years, at the end of which time he was superseded in consequence of his unpatriotic course in relation to the questions which had arisen with the mother country. In Wolcott's administration, the currency had so recovered a healthy condition that the Legislature felt safe in directing the Treasurer "to issue or pay out no more of the bills of credit of the colony on any occasion." But not two years had passed when military exigencies required a temporary and cautious recurrence to the same expedient.

1754.

1753. May 10.

1755. Jan. 8.

It was presently after the first election of Fitch that the attempt was made in the convention at Albany to frame that federal constitution for the colonies which has been described above. Wolcott was one of the three commissioners for Connecticut, and, with his associates, opposed the plan, as threatening to those liberties which in their mutually independent condition the colonies had hitherto enjoyed. The General

June 14.

Assembly adopted their view, and instructed its agents in England to employ counsel to oppose the plan before the Committee of Parliament. The Assembly thought that "the limits of the proposed plan of union were of too large extent to be in any good manner administered, considered, conducted, and defended by one President-General and Council"; and that the scheme tended "to subvert the liberties and privileges, and to discourage and lessen the industry, of his Majesty's good subjects inhabiting these colonies." If any confederacy were to be established, Connecticut desired that there should be not one only, but two, so as to leave the northern colonies unconnected except with each other. There is no doubt that her opposition to the whole scheme was entirely sincere. Oct. 10.

In the campaign about Lake George, the troops from Connecticut, three thousand or more in number, were active and serviceable. To Phinehas Lyman, who commanded them, and not to William Johnson, belonged the glory of Dieskau's defeat. New York, not being able to raise its complement of men, was permitted by the Assembly to enlist five companies in Connecticut. Four hundred of the French Neutrals, transported from Nova Scotia, were brought to that colony, and were billeted upon the towns, to be maintained "as though they were inhabitants," the number in a party varying from nineteen apportioned to 1755. 1756. May 8. Jan. 21.

New Haven to three assigned to Haddam. It was ordered that families should not be separated, and that the sick and aged should not be liable to removal, but should be maintained by the colony, wherever they might be. In the same year Connecticut placed twenty-five hundred men under the command of the Earl of Loudoun, twice as many as her due proportion of the levy; and the disappointment of her people at the inefficiency and failures of that nobleman and of his successor was proportionably great. The conviction was general that, under continental officers, the expeditions which had so wofully miscarried could not have failed of complete success. The wretched misconduct of General Webb in the next year increased the resentment and apprehensions. When William Pitt came into power, there was a revival of hope. To his assurance that the King had "nothing more at heart than to repair the losses and disappointments of the last inactive and unhappy campaign," followed by a call for twenty thousand men from New England, New York, and New Jersey, to be used in the reduction of Canada, Connecticut promptly replied by offering, as her own share, what was at once a quarter part of that force and "a quarter part of the militia of the whole government." She was again to be disappointed and disgusted by the mismanagement and discomfiture of General Abercrombie before Ticonderoga. When an-

Feb. 12.

1757.

1758. March 8.

other requisition came for a large force of troops, it was received with uneasiness, but without dismay. In three successive years Connecticut had placed in the field three thousand, twenty-five hundred, and sixty-four hundred men, a contribution nearly three times as great, in proportion to her population, as that of some other colonies; and to meet in part the expense of such a levy, her taxation had been enormous. Yet, under such exhaustion, the Assembly resolved to raise four regiments more of a thousand men each, of one of which Israel Putnam was lieutenant-colonel. General Amherst thought this force was not large enough, and on his urgent representation the Assembly tried the patriotism of its constituents by adding another thousand men, offering to each man further enlisted a bounty of seven pounds. When Quebec had been taken, but the conquest of Canada remained yet incomplete, Connecticut once more raised five thousand men for the service of the year. The junction of the three English armies on the same day before Montreal, and the surrender of that city, put an end to the desperate struggle of more than three quarters of a century, and opened that new chapter in New England history to which the reader's attention is presently to be directed.

1759. March 8.

May 10.

1760. March 13.

During the last twenty years before the death of King George the Second, the force of circumstances partially redeemed Rhode Island from her

old isolation to a place within the political sphere of New England. The nautical habits of her people determined that the service rendered by her in the wars with the French should be chiefly at sea. The colony raised three hundred men for the expedition against Louisburg, but the operation was tardy, and they did not arrive till the place was taken. An armed sloop belonging to the colony, with a crew of a hundred and thirty men, was joined with a Connecticut vessel in convoying the Connecticut troops, and rendered good service throughout the campaign; seamen were enlisted and impressed to man the French prize, the Vigilant; and two private armed ships of Newport were chartered for the war by the government of Massachusetts. Other privateers captured more than twenty French vessels; and, after the fall of Louisburg, Rhode Island contributed some men to the garrison, which held it till the arrival of regular troops from Europe. In the distribution of the English subsidy to the New England colonies for this service, Rhode Island received six thousand three hundred and twenty-two pounds sterling. In the year before the conclusion of this war the population of the colony was thirty-four thousand one hundred and twenty-eight, of whom four thousand three hundred and seventy-eight were negroes and Indians. At the beginning of the next war, at which late period Governor Shirley imagined

1745. March 1. May 4. June 18. 1748.

himself justified in writing of Rhode Island to Secretary Robinson, "The reins of their government prove now so loose that a spirit of mobbism prevails in every part of it," the total population of the colony had increased to nearly forty thousand. There were eight thousand two hundred and sixty-two men of military age; and fifteen hundred men were soon serving at sea in private armed vessels. In the campaign at Lake George, Rhode Island had seven hundred and fifty men. In the alarm occasioned by the defeat of Colonel Monro, at Fort William Henry, one sixth part of the fighting men of the colony were placed under marching orders, but the fright passed away, and they did not move. When Pitt called for a general colonial muster, Rhode Island proposed to furnish a thousand men, and a part of them were with Abercrombie at the disastrous attack on Ticonderoga. Of the three thousand provincial troops led by Colonel Bradstreet against Fort Frontenac, more than three hundred were from Rhode Island. In the following year the Assembly sent to Sir Jeffrey Amherst at Albany a reinforcement of a thousand soldiers for that movement of his towards Quebec, which was completed in the following year by the conquest of Canada.

1754. Dec. 24.

1756.

1755.

1758. July 8.

August.

1759. June.

1760.

Such operations required money, or a substitute for it. When, in similar circumstances, intelli-

gent and sober Massachusetts was so imprudent, it does not surprise the reader to learn that Rhode Island was reckless. When the reimbursement of the expedition against Louisburg came from England, Governor Shirley urged the little colony, but in vain, to imitate the example of Massachusetts in applying it to the resumption of a solid currency. Rhode Island refused to be wise, though the consequence was that much of her considerable trade left her for Massachusetts, where now it could be safely conducted. At the
1749. time of the peace of Aix-la-Chapelle, exchange on England was bought and sold in Rhode Island at the rate of more than ten for
1750. one. In the following year, the paper promises to pay were in circulation to the nominal amount of a hundred and thirty-five thousand pounds.

The patent obtained from the Council for New England by the old colony of Plymouth gave to it lands extending westward to Narragansett Bay; but that patent could not convey jurisdiction, and the colony never was able to supplement it by the guaranty of a royal charter. As long as Plymouth remained a separate government, the settlements which afterwards became the towns of Tiverton, Little Compton, Bristol, Warren, and Barrington were considered as being within her limits, and were accordingly governed by her laws and represented in her administration. When Lord Clarendon's commissioners were in

New England, Rhode Island presented to them a claim to the jurisdiction of that country, founded upon the charter obtained two years before from the King, which conveyed lands "extending towards the east, or eastwardly, three English miles to the east and northeast of the most eastern and northeastern parts of the aforesaid Narragansett Bay, as the said bay lieth or extendeth itself from the ocean on the south, or southwardly, unto the mouth of the river which runneth towards the town of Providence, and from thence along the eastwardly side or bank of the said river . . . . . up to the falls called Pawtucket Falls, being the most westwardly line of Plymouth colony, and so, from the said falls in a straight line due north until it meet with the aforesaid line of the Massachusetts colony." The commissioners reported to the Secretary of State, that, recognizing the claim of Plymouth as being valid, they had established Narragansett Bay as the boundary between the two colonies, "till his Majesty's pleasure should be known." 1665.

No further pleasure of the King touching the question was made known, and the arrangement continued undisturbed for two generations, within which time the rights of Plymouth, whatever they were, had been transferred to Massachusetts by the charter of William and Mary. Rhode Island revived the question, and resolved to present it to the King. The Board of Trade advised the Committee of the Privy 1733. December. 1738. May.

Council to settle it by the arbitration of commissioners to be appointed by the King from the
1740. neighboring provinces. Accordingly five
Sept. commissioners were named from each of the provinces of New York, New Jersey, and
1741. Nova Scotia. After some delays five of
April. the number met in Providence, and heard arguments on both sides, Shirley, not yet governor, being of counsel for Massachusetts. The
June 30. Commissioners' decree gave to Rhode Island and the territory which has been described, rejecting her claim to about twice as much more on the north and east. Both parties were dis-
1746. contented, and appealed to the King; but
May 28. after a full hearing of arguments an Order in Council confirmed the Commissioners' award. The towns annexed were distributed among three
1747. of the counties of Rhode Island, and re-
February. ceived magistrates according to the system of that colony.

CHAPTER XIV.

ADMINISTRATION OF BERNARD.

The arbitrary principles in which the dull and obstinate young King had been carefully trained by his German mother tended to steady the policy of the discordant ministries which in rapid succession he employed in the first years of his reign.

Just a hundred years had passed between the restoration of the Stuart dynasty to the throne of England and the accession of the third monarch of the line of Hanover. The former event inflicted on New England some of the evils which had been apprehended ever since the period of the colonization, and was working towards a consummation of the ruin, when the Revolution under the Prince of Orange brought relief to Englishmen on both sides of the water alike. At first, the despotic governor of King James the Second had seemed to possess a power secure against resistance. The colonies of New England were not even united among themselves. United, they could have offered but feeble opposition to the military and naval strength of England, organized as it had been by the great Protector and his associates, and now transferred to hostile hands. The friends of the colonists in England — the patriot party

— had been defeated, and were for the time disabled and discouraged. The conditions of the accomplishment of the early dream of ultimate independence had ceased to exist. It does not belong to the temper of Englishmen to submit to permanent servitude. But whatever hope had once been entertained of relief by separation from the misgoverned kingdom had been dispelled in the course of events that could not be recalled.

The forms of government which the elected King allowed to stand in Connecticut and Rhode Island were satisfactory to the people of those colonies. Those which he gave to Massachusetts and New Hampshire, if far from being all that could be reasonably wished, were generally acknowledged to be as good as, in the circumstances, could any way be had, and such as a free people could contentedly live under. Even regarded from the colonists' point of view, it could not be said that they embodied and perpetuated any considerable practical grievance. They respected religious liberty, and they ostensibly provided for the cisatlantic Englishman the traditional English securities for life, person, reputation, and property. Some of their provisions admitted different interpretations and applications, and out of these differences questions arose from time to time between the colonies and those who were administering the affairs of the parent country, as has been seen

in the course of this narrative. But these questions were susceptible of being dealt with by discussion and management, as questions of internal administration were dealt with in England by opposing parties. The English dissenters, for instance, aggrieved by the ecclesiastical policy of Queen Anne's reign, did not expect to right themselves by revolt, but by argument and agitation, and a judicious use of as many votes as they could command in the House of Commons. So the people of Massachusetts, if a royal governor was too officious about his prerogative, checked him by a diminution of his pay; if they thought him too extravagant in his projects, they cut down his supplies; if a law which they thought useful was disapproved in England, they tried it again with some change of phraseology, or they coaxed or annoyed the Ministry into allowing it by making, or promising, or threatening some other provision which fell within their unquestioned competency. In their occasional disagreements with the governors and the Ministry, they sometimes pleaded warmly in their public documents, as they cherished fondly in their hearts, their rights by charter, and their older and more venerable rights as Englishmen.

It was entirely supposable that an outrageous assault upon those rights should provoke them to disown, resist, and, if in their power, depose the authority which attempted so to oppress

them. But they were not in the habit of anticipating that any such occasion would arise. They expected to be able from generation to generation to maintain and right themselves by peaceable and legal methods. Charters are composed of words, and words are susceptible of different constructions, and opposing parties will construe an instrument according to their respective judgments, interests, prejudices, and passions. But when there turn out to be irreconcilable differences of construction, a party can often enforce its own by sagacious and resolute perseverance in some use of some undisputed power possessed by it. A fanciful mind might indeed conceive all sorts of dangers. As England had once claimed to dictate to the ancestors of the colonists their religious faith (a wrong which they had escaped by expatriation), so it was possible that she might claim to take their property to herself by taxation, or military imposition, or other form of spoliation. But no such intolerable claim had yet been made. Nothing had been done by the post-revolutionary sovereigns to justify disloyalty on the part of their colonial subjects. And so, from the time of the establishment of a Protestant succession to the British throne, a political separation from Great Britain was foreign to the meditations of the people of New England. Without doubt, the thought may occasionally have crossed their minds that independence might come in the course of time, but

there was no desire to precipitate, and no habit of contemplating it. As long as they could protect themselves without it, the existing state of things sufficed.

Nor was there anything in existing circumstances to encourage an aspiration for independence, had it formed itself in enthusiastic minds. Much as New England had grown between the expulsion of King James the Second and the end of the last French war, she was relatively less powerful, when compared with England, at the end of that period (when her population may have amounted to five or six hundred thousand persons), than at the beginning. Not only in the parent country would she have no friends in any aim of hers at independence; on the contrary, the English dissenting body, so closely allied with her in the seventeenth century, was to a great extent the mercantile body, and the English merchants through all the present century had for their own advantage been the great movers of the oppression of New England, through their demands for a rigid enforcement of the colonial system. Nor, had the people of New England conceived such an enterprise, could they look to any allies on this continent. They had no considerable political relations with the other continental Anglo-American colonies, except the too-often unfriendly relations with New York. They had not as much intercourse or acquaintance with Virginia or Georgia as

with Jamaica and Barbadoes. Nor was there so much as preparation for a good mutual understanding and common endeavors. The origin, religion, institutions, habits, of the people of New England — to no little extent their principles, tastes, and pursuits — were different from those of the other English plantations in America.

For New England, in such circumstances, to entertain a plan of throwing off by force her allegiance to Great Britain, would have been preposterous folly. Had the facts been different, it would not have been surprising had she conceived the scheme, so often was it brought to her notice by unfriendly imputations. As often as a New England legislature deliberated on the most convenient way of complying with a royal requisition, — especially when it hesitated to meet the wishes of a royal governor, — the governor's despatches to the Board of Trade bore vehement warnings of its disloyalty and ambition to be independent. Representations to this effect make a perpetually recurring topic in the letters of the King's officers in New England, from the time when Fletcher, King William's governor of New York, baffled in his pretension to command the militia of Connecticut, informed the Board of Trade that "they set up for a free State," to the time of Francis Bernard, ruling Massachusetts for the last King from whom she received a ruler. And all this time the colonists, meditating nothing of the kind, were only refusing to sur-

render the rights which belonged to them as communities of Englishmen and as chartered corporations.

In the course of the preparations for the last French war, some reasons for mutual jealousy between the British government and its colonies had forced themselves prominently into view. The plan for a sort of colonial union for the common defence, which, proposed by Franklin, had received the general approbation of the meeting of delegates at Albany, had found less favor with the several legislatures on account of being thought to give too much power to the Ministers of the crown, while by the Ministers it was condemned and rejected for the opposite reason. To them such a union as was proposed appeared a step towards the independence which they were always imagining to be in the contemplation of the colonies. The union, had it been established, would have had to a great extent the management of the approaching war, and would have made the provinces which constituted it responsible for the heavy expenses about to be incurred. But, rather than encounter the risks which they fancied the arrangement to involve, the King's servants preferred to send across the water large forces of regular troops at the cost of the imperial treasury. If in England there was doubt and misgiving, in America there was elation, and a confidence — vague and aimless, indeed — arising from a sense of rapidly

1754.

increasing power. The English colonies on the mainland of America numbered an aggregate white population exceeding a million and a half. They had obtained some practice in military operations on a large scale; they had done some of the best fighting of the war; and the liberality of their several contributions to common objects had emboldened all by giving to each a first lesson of reliance on the rest.

1760.

The capture of Quebec, though it did not end the war, portended the conquest of Canada, and brought into immediate consideration the consequences which the downfall of the French-American empire would entail upon the relations between Great Britain and her North American colonies. In the year of the fall of Quebec, the West Indian island of Guadaloupe, fruitful in sugar, was taken possession of by an English fleet. There was a premature discussion in England of the conditions of the peace which both sides were desiring, and William Pulteney, Earl of Bath, nearly eighty years old, once more claimed notice in connection with public affairs by publishing a "Letter to Two Great Men," — the Duke of Newcastle and Mr. Pitt, — urging reasons for giving up Guadaloupe rather than Canada, should it be thought necessary to relinquish either to the French. He was answered in a pamphlet entitled "Remarks on the Letter to Two Great Men," which has been supposed, on no satisfactory grounds, to be a production

1759.

of Edmund Burke. One of the arguments of this writer in favor of parting with Canada was, that "the possession of it may in its consequences be dangerous," because the English colonies, no longer endangered and confined as heretofore by the close neighborhood of French enemies, "will extend themselves almost without bounds into the inland parts, and increase infinitely from all causes, becoming a numerous, hardy, independent people, possessed of a strong country, communicating little or not at all with England, living wholly on their own labor, and in process of time knowing little and inquiring little about the mother country." To this paper Franklin, then in England as agent for Pennsylvania, published a reply, under the title of "The Interest of Great Britain considered with Regard to her Colonies, and the Acquisitions of Canada and Guadaloupe." Franklin was not used to manifest emotion, but the atrocity of the reasoning which had been employed extorted from him some animated sentences. "We have seen in what manner the French and their Indians check the growth of our colonies. It is a modest word, this *check*, for the massacring of men, women, and children. The writer would, if he could, hide from himself, as well as from the public, the horror arising from such a proposal, by couching it in general terms. It is no wonder he thought it a 'subject not fit for discussion' in his letter, though he recommends it as 'a point that should 1760.

be the constant object of the Ministers' attention.'"

1758. Francis Bernard, bred a solicitor in London, came to America, as was common with the governors, in the hope of bettering his fortune. He conducted the administration of New Jersey in a manner so satisfactory to his employers, that at the end of two years he was

1760. transferred to the more important post of

Aug. 2. governor of Massachusetts. He took possession of that place ungracefully. In the first

Dec. 17. of his speeches which was not merely formal, while expatiating on the successes against the French, he took occasion to congratulate the General Court on the happiness enjoyed by their constituents in their "subjection to Great Britain, without which they could not now have been a free people." The phraseology was not pleasing. The Council, in the reply which on their part was customary, owned that "to their relation to Great Britain they owed their present freedom." The House said that, on the other hand, "the whole world must be sensible of the blessings derived to Great Britain from the loyalty of the colonies in general, and from the efforts of this colony in particular, which for more than a century past has been wading in blood, and laden with the expenses of repelling the common enemy, without which efforts Great Britain at this day might have had no colonies to defend"; and they explained "the connection between the

mother country and these provinces" as being "founded on the principles of filial obedience, protection, and justice."

Bernard's first impressions of Massachusetts were highly favorable. "This people," he wrote to the Lords of Trade, "are better disposed to observe their contract with the crown than any other on the continent that I know." Nor did he soon see cause to qualify his commendation. "The distinguished loyalty and public spirit of this people have received no abatement," was his assurance to Pitt, when that minister had recommended the raising of two thirds as many troops as in the last campaign. The Assembly, he informed Lord Egremont, "very readily complied with everything I could ask of them. . . . . Their resolutions were the result of a free deliberation, uninfluenced by any motives but a sense of duty to his Majesty." "There is the most perfect harmony in the government of this province. . . . . This disposition does not arise from management." The Assembly had declined to send a force to serve under General Gage on the lakes. But, in the governor's judgment, "in all other things they acted with the greatest generosity and public spirit." To an instruction to see to the strict execution of the Navigation Laws, he replied that those laws were "nowhere better supported than in this province," though there

Aug. 18.

1761. April 6.

1760. Dec. 17. 1761. April 16.

June 7.

Feb. 6.

Oct. 25.

had been an immemorial indulgence in allowing "Lisbon lemons and wine in small quantities to pass as ship's stores."

But before long he seems to have found occasion for a change of mind upon this subject; for, in a letter written three years afterwards to Lord Halifax, Secretary of State, he informed that nobleman that he had, from his "first coming to the government, particular occasion for exerting himself in defence of the Admiralty and custom-house officers. . . . . I entirely defeated," he said, "the machinations of a formidable confederacy intended to annul and avoid the Laws of Trade. The disappointment was so great that my conduct upon the occasion has to this day been neither forgotten nor forgiven by the unfair traders." He had already been meditating upon radical measures for the correction of colonial disorder. "I am apprehensive," he wrote to the same minister, "that very soon, if it is not at present, a new arrangement of New England may be taken into consideration. . . . . The division of New England into governments of suitable size and with proper boundaries is by no means a difficult task, if it was unembarrassed with the politics, prejudices, and humors of the people. . . . . I will suppose that the two republics of Connecticut and Rhode Island are to be dissolved." His scheme was to compose one colony of Massachusetts, New Hampshire, Rhode Island, and as much of Con-

1764. Dec. 7.

Nov. 9.

necticut as lies east of Connecticut River; another, of Maine and the western part of Acadia; and a third, of all the British territory further east. Whatever difficulties should prove to be in the way of such an arrangement would, he said, "arise from the bad policy of establishing republican forms of government in the British dominions. . . . . As for the religious divisions, they are become so entirely subservient to politics, that, if the state of the governments is reformed, and a perfect toleration secured, religion will never give any trouble." Each American province should, he thought, have a legislative council appointed by the King, the members to hold their office for life. "Massachusetts, united as aforesaid, will afford a fine opportunity for trying the experiment." This scheme, he informed Richard Jackson, had been suggested by him to Lord Barrington "above a year and a half ago." 1763. Aug. 2.

The methods of administration of the Laws of Trade presented questions at this time of the highest importance in relation to the later progress of events.

The death of Stephen Sewall, taking place in the month after the arrival of Governor Bernard, vacated the office of Chief Justice of Massachusetts. It was said that Governor Shirley had promised the first vacancy which should occur on the bench of the Supreme Court to James Otis, of Barnstable, who, begin- 1760. Sept. 11.

ning life in a mechanical employment, had afterwards studied law, and obtained considerable practice in that profession. At Sewall's death, Otis, who was now Speaker of the House, desired to take the place of one of the existing judges, who should be promoted to be Chief Justice. But Bernard had other views, and appointed Thomas Hutchinson to that high office.

Dec. 30.

The new Chief Justice, descended through a line of distinguished men from Mrs. Anne Hutchinson, the Antinomian heresiarch, had, on leaving college, engaged in commercial business. Not meeting with success in this employment, he withdrew from it with what remained of his considerable patrimony, and devoted himself thenceforward to public affairs and the studies proper for a statesman. In the crisis of the question about the currency, he was sent to England as agent for the town of Boston, and, increasing his already brilliant reputation by his management of that business, was chosen on his return to be one of the representatives of the town in the General Court. His eloquence, activity, courteous manners, superior abilities, and extensive knowledge easily gave him the lead in the House, of which he was made Speaker after a short service. He filled that place when the remuneration for the campaign against Louisburg came over, and for a time was brought into disfavor, but at length

1727.

1738.

1747.

greatly strengthened his hold on public confidence, by the course which he took in causing the money to be used in a reform of the currency. Advanced to the Council, he maintained there, against a majority, the popular side against a burdensome Excise Bill, which Shirley, contrary to his personal judgment and preference, found himself compelled by prudence to disapprove. He was made lieutenant-governor after Phipps's death, and not only continued to hold that office after he was appointed Chief Justice, but subsequently the office of Judge of Probate for Suffolk County was further added to his honors. He was undoubtedly the most conspicuous and powerful citizen of New England. Governor Pownall, during his short administration, placed less confidence in him than had been reposed by Governor Shirley; but there was no avowed estrangement between them, and the associations of dignity with which Hutchinson was invested as head of the administration in the few weeks which intervened between Pownall's recall and Bernard's succession, showed his shining qualities to advantage, and contributed to strengthen his hold on the public respect.

1750. 1754. 1752. 1758. June 7. 1761. Nov. 5.

The resentment raised in James Otis and his yet more distinguished son by Hutchinson's elevation to be Chief Justice, was supposed by the latter to have prompted the part taken by them in the controversies which after a while ensued;

and there is no reason for denying that their sense of personal injury may have given a degree of acrimony to the opposition on which they entered; for without doubt both were men of vehement passions. But the supposed effect is altogether out of proportion to the alleged cause. Acknowledging the merit or fearing the hostility of Speaker Otis, the governor gave to him the nomination of all the principal offices in his
1764. county, and he took to himself those of
Feb. 1. Judge of Probate, and of Chief Justice of the Court of Common Pleas. Nor was it any merely personal or family disgust, that in other quarters raised the storm which James Otis the younger was soon to be seen directing as champion and interpreter of the wisest and calmest thinkers of New England. Nor would it appear that there was any violent private animosity to influence his public action, when, on the occasion of a valuable grant of land by the General Court
1762. to the governor, Otis used his influence to
Feb. 27. promote the measure, after the alleged cause of offence had been given, and before the governor had made the alleged overtures for a conciliation.

The first act of opposition to Governor Bernard's administration on the part of James Otis (which name will hereafter be used to designate the younger of the two, father and son, who bore it) was chiefly of importance as indicating and stimulating a popular feeling of discontent. A

provision in the Act of Parliament called the Sugar Act, imposing a duty of sixpence on every gallon of foreign molasses imported into a colony, gave to the informer against a smuggling operation one third of the property forfeited, to the governor one third, and one third to the King for the colony's use. The General Court of Massachusetts, not liking the law, had never called for the payment of its share of the forfeits, which in the course of time had come to amount to a considerable sum. The informers meanwhile had presented their claims for payments to themselves in consideration of private intelligence, and these claims, instead of providing for them from the total sum of the forfeits, the Court had negligently allowed to be discharged from the third part belonging to the province, or, in technical language, to the King, for the province's use. When the irregularity was brought to notice, no doubt was expressed in any quarter of the equity of a readjustment, but the method of proceeding to obtain it was not so clear. Some merchants, perhaps not unwilling to annoy the custom-house officers, presented a Memorial to the General Court, praying that the provincial treasurer should bring an action against the officers for the recovery of moneys illegally held by them. The House consented to the proceeding. On the part of the governor and of the Council there was opposition to it, on the grounds that, though the moneys

1760. Dec. 17.

1761. Jan. 13.

in question really belonged to the province, yet, as the language of the law which appropriated them gave them "to the King for the use of the province," it belonged to the King's Attorney-General to sue for their recovery, and not to the provincial treasurer; and, again, that the moneys had been paid in pursuance of a decree of the Admiralty Court, which decree the province might have opposed while it was in progress by an appeal to the Supreme Court, but, having failed to do so, had lost its remedy. But, in consideration of the popular resentment which would follow a representation that the province had been defeated by a technical nicety in a claim for its money, the objection was waived both in the Council and, under its advice, by the governor, who still feared that his acquiescence would displease the King. The suit was brought, accordingly, by Otis, in the Supreme Court, and, to the general surprise, the jury's verdict, under the direction of the bench, was against the province.

August

But already Otis had in hand a far more serious business. Governor Bernard had been in Massachusetts six months, when, by a transaction which did not yet reveal its transcendent import, the great question of American liberty had been so raised as never again to be settled but by American independence.

The reform of the currency which resulted from the campaign against Cape Breton concurred with other causes to produce a commercial

activity, especially in Massachusetts, which drew increased attention, in the parent country, alike to the economical and to the political relations of the communities of which she was the chief. During the last French war, it was of great importance to England to retain the good-will of her American dependencies, and Governor Shirley, though individually inclined to prerogative principles, was careful to avoid disturbing questions as far as possible. Pownall leaned the more easily to the same policy, because his personal opinions were of a more liberal cast.

When Bernard came to the government of Massachusetts, the French war was virtually finished. The trade of Massachusetts, including that commerce with the French and Spanish islands which, though forbidden by the Navigation Laws, had been profitably pursued with the connivance of the English officers of the customs, had been materially enlarging. Eight years before Governor Bernard, Charles Paxton, a capable and energetic person, with his fortune to make, came from England as Surveyor of the port of Boston. He had recourse to an exceptionable method of executing his office. He obtained, from time to time, general search-warrants from Governor Shirley, to make scrutiny for goods imported without the payment of duties. Shirley learned from Hutchinson that he had no authority to grant such a power, and thenceforward the revenue officers applied for it to the

Commissioned 1752. Jan. 8.

courts, while Stephen Sewall was Chief Justice. Sewall was said to have doubts of the legality of these *Writs of Assistance*, as they were called; but he was persuaded or overruled, and they were repeatedly issued while he was at the head of the judiciary.

When William Pitt came into power, he was informed that a contraband trade was carried on by the Anglo-American colonies with the possessions of France and Spain in the West Indies, and, notwithstanding the assurances of Bernard to the contrary, he sent stringent orders to the revenue officers in the colonies to watch that commerce, and break it up. He had no purpose beyond that of putting a stop to feeding the enemy. But it was natural for the greedy custom-house officers, whose fees would be in proportion to their activity, to represent these orders as calling on them for a renewed diligence in prosecuting every violation of the letter of the Laws of Trade, including such irregularities as in time past had seemed rather permitted and authorized than overlooked; and it was natural for the merchants to be apprehensive of a ruinous disturbance of their business. It was impossible that the parties should not watch each other with very unfriendly eyes.

1760. Nov. 8.

While these feelings prevailed, the death of King George the Second brought up a practical question respecting the writs of assistance, since, by the terms of such a writ, its force expired at

the end of six months from a monarch's decease. Since as yet no clamor was heard about them, it is likely that hitherto they had been used by the officers with forbearance, and only in such strong cases as failed to excite the popular sympathy. But in the state of increased sensibility of the public mind, and probably in consequence also of their less cautious use, the question of their legality came to be canvassed, and, the more it was canvassed, the deeper it was found to strike into the relations of the colonies to the parent country, and into the fundamental principles of political freedom.

It has been thought that Governor Bernard, immediately on his arrival, was struck with the imminence and importance of the question, and that, having satisfied himself of the leaning of Hutchinson's mind, he placed that very able man at the head of the judiciary for the purpose of securing the decision which the friends of prerogative so much desired. A few months after Hutchinson's appointment, and before the six months of validity of the old writs under the new reign had expired, a Memorial of some sixty or seventy merchants petitioned for a hearing "by themselves and counsel upon the subject of writs of assistance"; and Lechmere, Surveyor-General of the Customs, followed with a petition to be "heard on his Majesty's behalf on the same subject, and that writs of assistance may be granted to him and to his officers as

1761. February.

usual." At the hearing, Jeremiah Gridley, a learned lawyer, then at the head of the provincial bar, appeared for the King, while the petitioners were represented by James Otis, who had been his pupil, and by Oxenbridge Thacher, a man at that time of greater weight than Otis by reason of his longer experience and superior social position, and not less distinguished by his brilliant professional prospects and devotion to the patriotic cause.

A writ of assistance authorized officers of the customs and their deputies and assistants "in the daytime to enter and go into any house, shop, cellar, warehouse or room, or other place, and in case of resistance to break open doors, chests, trunks, and other packages, to seize and from thence to bring any kind of goods or merchandise whatsoever, prohibited and uncustomed, and to put and secure the same in his Majesty's warehouse." Gridley showed that by certain statutes of the reign of Charles the Second, the English Court of Exchequer was authorized to grant such writs, and that by certain other statutes of the reign of William and Mary, the Supreme Court of Massachusetts was, within that province, vested with all powers exercised in England by the Courts of Exchequer, Admiralty, and King's Bench, and that especially the authority to enter ships and warehouses was extended to officers in the plantations. And, as to the alleged oppressive character of such a power, he argued

that the familiar practice of "the constables' distraining for rates was more inconsistent with English rights and liberties than writs of assistance; and necessity authorizes both."

Thacher replied that he could find no ancient precedent for such a writ; that the cases of England and of the colony were different, the custom-house officers in England being officers of the Court of Exchequer, which, accordingly, could call them to account for misconduct; and that the writs were subject to abuse, by reason of their being not returnable, and being in force for an indefinite time. Otis argued more largely and profoundly. He assailed the writ as being a violation of the fundamental principle of law, which respects a man's house as his castle. He pointed out the difference between general warrants to search anywhere, at the holder's caprice, and special warrants for a particular house, on sufficient grounds of suspicion set forth on oath. Granting that there was modern precedent for the writ, he urged that all precedents were "under the control of the principles of law"; and quoted Lord Chancellor Talbot to the effect that it is "better to observe the known principles of law than any one precedent, though in the House of Lords." He complained of the security acquired for abuses of the power given by the writ through the absence of any obligation to make a return upon it, and from its being subject to be obtained by any private party to be used

for personal and corrupt purposes. And he went so far as to lay down the strong doctrines that even "an Act of Parliament against the Constitution is void; an Act against natural equity is void; and if an Act of Parliament should be made in the very words of this petition, it would be void. The executive courts must pass such Acts into disuse."

Such were, in the main, the topics of Otis's argument, as they are indicated in notes taken at the time. It is easy to understand that great enlargement and animation must have been lent to them by the admirable eloquence for which he now began to be famous. The scene was witnessed by John Adams, then a barrister in the twenty-sixth year of his age, who, when past eighty, remembered and described it with enthusiasm. It is certain that the memory of the aged Ex-President was so far at fault as to transfer some sentiments expressed on later occasions of Otis's life to the speech ascribed to him on this occasion; but the venerable chronicler could not be mistaken as to the excitement produced by it in the public mind of New England, in the excitable state to which it had been brought by recent occurrences and discussions.

After the argument, the Chief Justice said that the court was not satisfied of the legality of general writs of assistance, and would suspend its judgment till it should have had time to obtain information respecting the practice in England.

The case came up again in the autumn of the same year, Thacher and Otis appearing again for the merchants, and the junior counsel for the crown being now Mr. Auchmuty, who was soon after made Advocate-General in the place of Otis, the latter having resigned the office when he assumed the popular side in this case. Thacher said that, for sixty years after the alleged sanction of the writ by an Act of Parliament, the court had received no application for it, which was a presumption against its legality; that the issuing of the writ must be either obligatory on the court, or else discretionary; that "the Act itself and its consequences" showed that it "could not be intended" to be obligatory; nor could it be intended to be discretionary, "for it can't be in the power of any judge at discretion to determine that I shall have my house broken open or not (as says Justice Holt, 'There can be no discretionary power whether a man shall be hanged')"; that the writ could be issued only by the Court of Exchequer, which the Supreme Court of Massachusetts was not, but, on the contrary, had "in the most solemn manner disclaimed the authority of that court"; that what might be safe for the King's Court of Exchequer to do was not safe for the courts of Massachusetts, because the officers of the customs in England were sworn by and accountable to the Barons, and "under their check, and that so much that for misbehavior they might punish with corporal

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punishment." Gridley and Auchmuty pleaded that "the court could not regard consequences, but must follow law"; that there could be no argument of non-user when there had been one case of use, and this writ had been executed over and over again in Massachusetts. "Let a warrant," said Otis, "come from whence it will improperly, it is to be refused, and the higher the power granting it, the more dangerous." "It is worthy of consideration whether this writ was constitutional even in England. And I think it plainly appears it was not; much less here, since it was not there invented till after our constitution and settlement."

The writ was granted, agreeably to a unanimous opinion of the justices. It continued to be freely granted and used down to the time of that later stage in the dispute when the Act of Parliament, called the "Boston Port Bill," closing the town of Boston as a port of entry, put all the questions respecting commercial restriction there on a different footing. The legality of writs of assistance was no longer matter of doubt. That they were legal, that English law formally and deliberately committed this outrage on Englishmen in the colonies, — this constituted in itself the essence of the wrong. Henceforward there was no question between the colonies and the tide-waiters, whether the latter had exceeded their legitimate authority. They had not exceeded it. They had used oppressive power conferred on them by the Parliament of

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England. The Parliament, not they, was responsible. With the Parliament, thenceforward, was to be the quarrel.

At the next session of the General Court, 1762. an Act was passed which, after a preamble Feb. 22. declaring the desire of the Court, "that the officers of his Majesty's customs in this province may be assisted in the due execution of their office, for the securing of his Majesty's dues and for the prevention of fraud," went on to provide for the issue of a special writ of assistance by any court or justice, on the oath of any custom-house officer to the effect that he had credible information of a breach of the Acts of Trade, accompanied with specifications of the name of the informer and the place of deposit of smuggled goods. The governor took the opinion of the judges upon the question whether this Act would not deprive the Supreme Court of the power as a Court of Exchequer, affirmed by their late decree. They unanimously replied that such would be its operation, and the governor accordingly disposed of it by his negative. He wrote to the Lords of Trade that "the bill was the last April 13. effort of the confederacy against the custom-house and Laws of Trade. . . . . I gave it a more solemn condemnation than it deserved. This . . . . . reduced the popular cry to a murmur only, which soon ceased, and I believe there is now a total end to this troublesome altercation about the custom-house officers." So sanguine were the governor's erroneous calculations.

CHAPTER XV.

ADMINISTRATION OF BERNARD, CONTINUED.

Recent occurrences had by no means relieved the uneasy position occupied by Massachusetts in relation to the parent country. The discontent felt by the British Ministry at the refractory disposition which seemed to them to possess the colonies, and especially the apprehensions, which had been gaining strength, of an ambition on their part to throw off their dependence, were of course heightened by what the late war had made manifest of their spirit and resources, and by the notoriety of their rapid advance in numbers and power. They had acquired experience in arms; they had become habituated to strenuous exertion and unsparing sacrifices for objects common to them all; and, in the campaigns which arrayed them side by side, they had made some advance to a mutual good understanding, and to an obliteration of the prejudices incident to the diversities in their origin and the occasional conflicts of their past history. It might well seem to the Ministry that the present was the time to settle whatever questions were in issue as to colonial administration, because the other party, en-

larging its power with every year, would have to be dealt with at less advantage the longer the dispute was postponed.

The same considerations aroused the vigilance and fortified the courage of the colonies. They did not want independence. Alike positively and honestly they declared that they did not want it, as often as the ambition was imputed to them. They were more than acquiescent in the existing state of things, as long as they could succeed, as for the most part they had done, in having the government administered conformably to their interests and their judgment. But the patriots of New England knew that the King's Ministry recognized a crisis in their mutual relations. They knew that the Ministers understood the reasons which recommended speedy action; and this was equivalent to knowing that opposition to the ministerial plans of usurpation must be prompt if it was to be successful. Nor were they blind to the improvement in their own prospects, should they, as appeared all but certain, be secured by the terms of the approaching peace against that succession of distressing invasions by which their French neighbors, through nearly a century, had drained their resources and retarded their growth, and should no adverse influences supervene from a different quarter.

In this state of mutual jealousy, — each side disposed to expect attempts at encroachment from the other, — a cordial co-operation between

the governor and the General Court of Massachusetts was not to be looked for. Yet both parties appear to have been careful to avoid placing themselves at disadvantage by any appearance of passionate or needless opposition. The governor
1761. May 29. advised the Legislature to disregard and discountenance attempts to awaken popular jealousies. "Lay aside," he said to them, "all divisions and distinctions whatever. . . . . Give no attention to declamations tending to promote a suspicion of the civil rights of the people being in danger. Such harangues might suit well in the reigns of Charles and James, but in the times of the Georges they are groundless and unjust"; to which counsel they gave a civil reply to the effect that it should have its weight, though they saw no indication of such a temper.

A question presented itself which was not of political significance, but which incidentally assumed that character by reason of its increasing the unfriendliness between Otis and Hutchinson and their respective followers. A calling in of treasury notes made necessary a legal determination as to the currency in which they should be paid. Silver was the only legal tender, but its relation of value to gold in England, enabling it to be shipped to that country with greater profit, threatened to strip the province of the only currency in which debts could be discharged. To dispose of the difficulty, the House of Representatives, under the lead of Otis, proposed to make gold a legal

tender. Hutchinson, sustained by the Council, resisted that measure, and a long altercation took place between the two parties. The arrangement finally adopted was substantially what the House desired, and that body expressed its satisfaction with the governor by making him a present of the island of Mount Desert. There seemed to be an approach to harmony, which the governor was disposed to complete. Massachusetts, though, it is true, not till after much debate, consented to raise three thousand men to reinforce the expedition projected by the Ministry against the French island of Martinique; and when an intervention on the part of Spain postponed the expected peace with France, the General Court raised thirty-two hundred men, and added a liberal bounty to encourage the enlistment of a regiment of regular troops.

Nov. 18. 1762. Jan. 27. Feb. 27.

But the causes of dissension were deeper than personal distrusts or animosities. The popular resentment against the judges on account of their decision of the question of writs of assistance expressed itself when the General Court reduced the usual annual grant to them, and especially when a large deduction was made from that of Hutchinson, their chief. Another token of the same feeling was the introduction into the House of a bill to exclude Judges of the Supreme Court from seats in either branch of the Legislature. The abstract reasons for that measure were good,

the Legislature being still, for some purposes, a judicial court. But all Massachusetts precedents were against it, and it was evidently prompted by hostility to one person, the lieutenant-governor. He had not yet wholly lost his former estimation, and the bill was rejected in the House by a small majority of votes.

New as Otis was to public life, his action in respect to writs of assistance had suddenly raised him to great distinction and favor. Three months after his first argument on that question,

1761. May 27. he appeared for the first time, as one of the four members from Boston, in the House of Representatives. Before this Court, through the whole history of Massachusetts, it is believed that only two persons of the legal profession had ever been members of the House. Otis favored the grant of land to the governor, to whom, however, a transaction of the same political year brought him into prominent and acrimonious opposition. The slightness of the cause which provoked it, when considered apart from the principle involved, illustrates well

1762. the habit of reasoning and the temper of the time. On a rumor that the French had made a descent on Newfoundland, the towns of Salem and Marblehead, interested in the fishery, presented a petition to the governor in Council, praying that an armed sloop belonging to the province might be despatched for the protection of their vessels. With the Council's approval, the gov-

ernor enlarged the sloop's crew with a small number of men, to whom he paid a bounty by warrants on the treasury. When the General Court met, after laying before them a requisition of Sir Jeffrey Amherst for six hundred men, he informed them of the transaction, the cost of which had amounted to between three and four hundred pounds. Sept. 8.

The House resented this proceeding with warmth. Otis led in the debate. He first placed himself in a position of advantage by professing himself ready to meet the requisition for troops with the utmost liberality. "This province," he said, "has upon all occasions been distinguished by its loyalty, and readiness to contribute its most strenuous efforts for his Majesty's service. I hope this spirit will ever remain as an indelible characteristic of this people. . . . . Our own immediate interest, as well as the general cause of our King and country, requires that we should contribute the last penny and the last drop of blood, rather than, by any backwardness of ours, his Majesty's measures should be embarrassed. . . . . I am therefore clearly for raising the men, if General Amherst should not inform us, by the return of the next mail, that he shall have no occasion for them." And, without referring to the other subject presented in the message, he moved to refer the message to a committee of five members. The committee was raised accordingly, and Otis was appointed a member of it, next after the Speaker.

The governor, in a second message, recurred to the matter of the province sloop, and
Sept. 13. advised the House to consider whether it would not be well to keep up her increased armament. Then the smothered wrath broke out. The House raised a committee, with Otis for its chairman, to consider the message. The
Sept. 15. committee reported a form of remonstrance addressed to the governor, declaring that it was unnecessary to keep up the increased establishment for the vessel, and desiring him to reduce it to that appointed by the General Court. And they added the following strong language:—

"Justice to ourselves and to our constituents obliges us to remonstrate against the method of making or increasing establishments by the governor and Council.

"It is in effect taking from the House their most darling privilege, the right of originating all taxes.

"It is, in short, annihilating one branch of the Legislature. And when once the Representatives of a people give up this privilege, the government will very soon become arbitrary.

"No necessity, therefore, can be sufficient to justify a House of Representatives in giving up such a privilege; for it would be of little consequence to the people whether they were subject to George or Louis, the King of Great Britain or the French King, if both were arbitrary, as

both would be if both could levy taxes without Parliament.

"Had this been the first instance of the kind, we might not have troubled your Excellency about it; but, lest the matter should grow into precedent, we earnestly beseech your Excellency, as you regard the peace and welfare of the province, that no measures of this nature be taken for the future, let the advice of the Council be what it may."

The remonstrance was presented to the governor, who the same day returned it to the Speaker, with a letter in which he said: "The King's name, dignity, and cause are so improperly treated, that I am obliged to desire you to recommend earnestly to the House, that it may not be entered upon the minutes in the terms it now stands." Some Representatives probably thought, on reflection, that in the reference to the King they had gone too far for a loyal courtesy. Others may probably have considered that the offensive language had already served its use, which was for popular effect. The words were accordingly suppressed, and the remonstrance went up again in this amended form.

The governor replied with an argument against the justice of the imputation of having done what tended to "take from the House the right of originating taxes," to "annihilate one branch of the Legislature," and to "make the government arbitrary." He urged Sept. 18.

that, in view of exigencies regarding the public safety, and liable to arise when the Legislature was not in session, it was necessary that the executive department should have some discretionary power; and that when the expense of a contemplated service was small, it would be absurd to maintain that, in order to obtain legal authority for it, there must be a convocation of the Legislature at a much greater cost. And he insisted that what had been done "was an act which the governor with the Council had a right to do; it was a legal and constitutional exercise of the powers vested in them; it was an exertion of the executive power of the government, distinct from that of the Legislature." Having sent in this paper, he immediately prorogued the Court, but not till the House had raised a committee, consisting of the Speaker (Thomas Cushing), Otis, and another member, to prepare a reply during the recess.

Otis could not wait so long as till the Court should meet again. Without loss of time he prepared and published with his name a pamphlet of fifty pages, entitled "A Vindication of the Conduct of the House of Representatives of the Province of the Massachusetts Bay, more particularly in the last Session." He maintained that the punctiliousness of the House as to the recent action of the governor was justified by its being a repetition of earlier irregularities of the same sort, which had been too easily passed

over; and he argued at length that it was of momentous importance that the House should exercise the prerogative, belonging to it by reason and by the charter, to keep the disposal of money in its own hands, and should resist the establishment of every precedent which might tend to bring that prerogative into question. With large illustrations from Locke's writings, he laid down a series of political maxims, of which the following made the first half: "1. God made all men naturally equal. 2. The ideas of earthly superiority, pre-eminence, and grandeur are educational, at least acquired, not innate. 3. Kings were (and plantation governors should be) made for the good of the people, and not the people for them. 4. No government has a right to make hobby-horses, asses, and slaves of the subject, nature having made sufficient of the two former for all the lawful purposes of man, from the harmless peasant in the field to the most refined politician in the cabinet, but none of the last, which infallibly proves they are unnecessary. 5. Though most governments are *de facto* arbitrary, and consequently the curse and scandal of human nature, yet none are *de jure* arbitrary." He argued that that part of the language used by the House to which most exception had been taken, was no more than the frank and decent expression of a sentiment which every freeman must entertain. He ridiculed the sensibility which had been wounded by it. "The whole amount of this dan-

gerous proposition may at least in one view be reduced to this, namely, it is of little importance what a King's Christian name is." He urged in warm language the rightfulness and the expediency of an outspoken and bold resistance to every sort and degree of usurped power. "The province can be in no danger from a House of Representatives daring to speak plain English when they are complaining of a grievance. . . . . The Parliament of Great Britain have, as the last resort, been known to appeal to Heaven and the longest sword; but God forbid that there ever should be occasion for anything of that kind again."

A religious question had its place in the agitations of the time. The "Society for the Propa-
1749. gation of the Gospel in Foreign Parts," which had been established in England under Episcopal auspices, had of late been assuming a new activity, and had extended its missionary operations into the already well-provided villages of New England. "We are apprehen-
1762. sive," wrote Jonathan Mayhew, minister of the West Church in Boston, to his dissenting friend, Thomas Hollis, in London, "that there is a scheme forming for sending a bishop into this part of the country, and that our governor, a true Churchman, is deeply in the plot." The following year, East Apthorp, minister of a congregation of the Church of England in the New England Cambridge, published "Considera-

tions respecting the Society for the Propagation of the Gospel in Foreign Parts," in which he was understood to foreshadow plans of ecclesiastical usurpation. The treatise was answered by Mayhew in "Observations on the Charter and Conduct of the Society for the Propagation of the Gospel"; and a controversy took place in which the champions appeared so unequally matched that the defence of the church was presently assumed by Dr. Secker, then lately created Archbishop of Canterbury. Thomas Hollis, who had the best means of information, thought that the danger of renewed episcopal usurpation was imminent. To the sense of this danger in Massachusetts was probably owing the dismission of Bollan, the province's agent in London, and the substitution for him of Jasper Mauduit, a less able man, but a dissenter. An abortive scheme, favored by the governor, for establishing a new college at Northampton, was understood to have a design hostile to the ecclesiastical establishments of the province. The General Court incorporated a "Society for promoting Christian Knowledge among the Indians in North America," which, in consequence of remonstrances from the clergy, was disallowed by the King. "If any one," wrote John Adams, in later years, "supposes this controversy to have no influence on the great subsequent question, he is grossly ignorant. It spread an universal alarm against the authority of Parlia-

April 20. April 23.

ment. It excited a general and just apprehension that bishops and dioceses and churches and priests and tithes were to be imposed on us by Parliament. It was known that neither the King nor the Ministry nor archbishops could appoint bishops in America without an Act of Parliament, and if Parliament could tax us, they could establish the Church of England here, with all its creeds, articles, tests, ceremonies, and tithes, and prohibit all other churches as conventicles and schism-shops. How then can it ever be said the writings of Mayhew against introducing and establishing episcopacy were not important in support of the cause of civil and religious liberty, and against the claims of arbitrary power in the British Parliament?"

Of the stipulations in the treaty of peace concluded at Paris between France and England,
1763. Feb. 10. those which were of particular interest to New England related to the fisheries and to the surrender of New France. As to the former, it was determined that the French should have a right to take fish on the Banks of Newfoundland, and in the Gulf of St. Lawrence more than three leagues from the coast, with the privilege of drying and curing on specified parts of the islands. Canada, Nova Scotia, Cape Breton, and all the islands in the river and gulf of St. Lawrence became possessions of Great Britain. By the King's letters-patent, Quebec and Newfoundland, as well as Nova Scotia, received governments correspond-

ing to the governments of the royal provinces earlier constituted in North America. They were respectively to have governors appointed by the King, and legislatures consisting of two branches, namely, a Council and a House of Representatives of the people.

The General Court of Massachusetts sent an Address to the King, congratulating him on a peace so honorable to his counsels and arms, expressing their gratitude for the consideration which had been given in it to their interest, and promising their endeavors on all occasions to merit his favor and contribute to the glory and prosperity of his reign. "It has been our unhappiness," they said, "for more than a century past, to get our bread at the peril of our lives, by reason of the sword of the wilderness. But the scene is most gloriously changed. Now there is safety to those who go out and to those who come in, for there is none to make us afraid." And in a courteous message to the governor, they acknowledged his services during the war, and assured him of their desire, in the new state of things, to co-operate with him cordially in measures for the just and tranquil administration of the province. May 30.

Governor Pownall was right when he argued in Parliament, at a time a little later, but from considerations present to his mind from his earliest acquaintance with the colonies, that there were questions of colonial administra- 1765.

tion which would not bear to have their settlement delayed. It was unavoidable that the Ministry should be impressed with the importance of proceeding with as little delay as possible to determine with precision the mutual relations of the parties, and silence such pretensions of the colonies as the parent country could not consent to admit. Among other details, a matter of instant practical importance connected itself with the theory of colonial dependence and subordination. The recent war had been waged at an enormous expense, a fact which had been made use of to undermine the power and popularity of Pitt, and which Grenville was in the habit of adducing against him with annoying effect. Seventy millions of pounds sterling had been added to the debt of Great Britain. Was it not equitable that the North American colonists, as subjects of Great Britain, should pay their proportion of it, especially when the argument might be plausibly maintained that part of it had been incurred in their defence?

And, if they ought to make such a contribution, should they be depended upon to make it of their own accord, by grants of their respective legislatures, or might a better uniformity and efficiency be equitably and constitutionally secured by the hitherto untried method of imposing taxes upon them by the authority of the imperial Parliament? The Ministers did not want to reduce their army; it provided occupation and a living

for numbers of their friends; to keep it up seemed to them prudent in view of possible future contingencies; and it would be convenient if an establishment of twenty thousand men could, without cost to the British treasury, be maintained in America ready for use whenever they might be wanted, and be posted meanwhile where they would be a constant reminder to provincial malecontents that the power of Britain was not safely to be defied. A further possible use, which was in contemplation, for an American revenue was in appropriations by the crown for the maintenance of civil officers, so as to make them independent of the colonial legislatures, and more at liberty to serve the crown in measures unwelcome to the colonies.

It could not be alleged that the method hitherto pursued for obtaining money from a colony for the King's service had proved ineffectual. The colonies confidently maintained that as often as his wishes had been conveyed to them through his Secretary of State, their assemblies had complied with such applications liberally, and to the very extent of their means; and that this was well understood on both sides, was evinced by the fact that, as the war drew to a close, Parliament voted to the colonies for their reimbursement a sum exceeding a million of pounds sterling. Besides losing no fewer than thirty thousand men in the field, they had spent not less than three millions of pounds, of which a sixth part had

been contributed by Massachusetts, and a proportion not very much inferior by Connecticut.

If the project of taxing the American colonies by Act of Parliament was not a novelty, it had always been approached with misgivings, and different considerations of prudence had at different times caused it to be dismissed. During the war, and especially as peace approached, and the condition of things which would follow it came into a clearer view, the plan occasioned much speculation and dispute. It was understood that at this time agents were employed by the Ministry in different parts of the provinces, to ascertain their material resources, and further to make observations on their condition and sentiments with a view to such a remodelling of their governments as would bring them into greater subordination to the crown. The governor of
June 3. Massachusetts communicated to the General Court an instruction which had reached him from the Board of Trade, to have a census taken of the number of inhabitants. The Court delayed action upon it, some of the members professing scruples as to its falling under a similar condemnation to the sin of King David when he undertook to number Israel.

When the policy of drawing a revenue from America had been resolved upon, the methods to be used in collecting it remained to be determined. Charles Townshend, at the head of the Board of Trade, proposed important changes in

the regulations of intercolonial commerce. Hitherto the duties on goods imported from the French and Spanish islands into the continental colonies had been so high as to be prohibitory. But in the absence of entries of such goods at the custom-houses, there had been all along an active illicit traffic, if that traffic is to be called illicit which was notorious and avowed, and at which the revenue officers constantly and openly connived. For generations they had practised this indulgence in New England without apprehension of being called to account by their superiors; for the effect of it was not prejudicial, but highly advantageous, to the business of the mother country, since by the lumber, fish, and live stock which they sent to Cuba and Guadaloupe, the New England people got sugar and molasses, which furnished them with money to pay for English manufactures. It was now determined to reduce the duty to such a rate as it was thought the trade would bear, and then to collect it rigorously. And while this measure of a diminished duty was maturing, orders were issued to navy officers on the American station, instructing them to detain and libel all vessels found violating any provision of the Navigation Acts, — orders which placed a power susceptible of great abuse in hands by no means fit to exercise it, while there was no provision for redress except by the tardy and expensive method of an appeal to the supreme

April.

authorities in England. This order, says the historian Minot, "is said to have caused a greater alarm in the country than the taking of Fort William Henry," the disaster which five years before seemed to lay New England open to unlimited devastations of the French and Indians. It was apprehended that in Massachusetts the annual loss to be sustained from the discontinuance of the fishery would be not less than a hundred and sixty-four thousand pounds; while the vessels employed in it, worth a hundred thousand pounds, would be rendered nearly useless, and there would be a further loss of property amounting to scarcely less than a quarter as much as the worth of the various articles of equipment and forms of industry used in the prosecution of the business. Five thousand seamen would be thrown out of employment, and the lucrative trade with Spain and Portugal in fish and other commodities would all be broken up.

Sept. 5. To questions addressed to himself by the Lords of Trade, the governor replied that "a list of the shipping, from ten tons upwards, belonging to the several towns in the province, was taken by order of the General Court in 1761, and the returns amounted to 57,000 tons; but this was undoubtedly imperfect. The shipping of Boston," he wrote, "has decreased of late," — a decline which he attributed partly to "illicit trade carried on in Rhode Island, Connecticut, &c." Molasses, brought from the West Indies in large

quantities, he said, was in Massachusetts distilled into rum, which was shipped to Newfoundland, exchanged in Maryland and Virginia for corn and pork, "used in the prosecution of the fisheries, and some part (perhaps too much) consumed by the inland inhabitants. I cannot help," he added, "recommending the promotion of the molasses distillery in this province. . . . . The inhabitants of the trading towns, men, women, and children, have their whole supply of clothing from Great Britain. Most of the women of other towns also have the principal thence; the men have more or less. The poor laboring people of the country towns wear their common clothes principally of coarse homespun linens and woollens." Men's shoes were mostly of domestic manufacture; "women's partly only. Most of the furniture of the houses in the trading towns is of British manufacture," as well as all the hardware in use, except that of "cast metal or hollow ware there is enough made for the inhabitants," and some to export. "The Laws of Trade are better supported in this province than in most others of America. . . . . Writs of assistance are now granted in as effectual a form as in England." The population he estimated (but too low, probably, by a fifth) at two hundred thousand, of which number two thousand two hundred and twenty were slaves, very few were free negroes and mulattoes, and of Indians "not many hundred. . . . . The people here are very much tired of negro ser-

vants." War, disease, and removals, especially of late to New Hampshire, had kept down the population. "The charter is duly carried into execution. . . . . The royal rights are never openly invaded. The utmost that is done is to dispute what are royal rights. . . . . It was an unfortunate error, in forming this government, to leave the Council to be elected by the representatives of the people." He would have the counsellors appointed by the King for life, and "some title, such as Baron or Baronet, annexed" to the office. "The people in general," he wrote, "are as well inclined to his Majesty's government, and as well satisfied with their subordination to Great Britain, as any colony in America." But he strongly recommended that provision should be made for the support of the provincial government, such as should free it from dependence on grants of the General Court. He wrote in the same month in which the Lords of the Treasury applied to the commissioners of the Stamp Duties for the draft of a bill to extend those duties to the colonies.

Sept. 15.

Sept. 22.

CHAPTER XVI.

ADMINISTRATION OF BERNARD, CONTINUED.

By their agent in England the General Court of Massachusetts were informed of what they had to expect in reference to restrictions on trade with the French and Spanish sugar islands in the West Indies. The importance of the question which arose was thought to entitle it to be managed by a person of more ability than was attributed to Mr. Mauduit; and such was still the position of lieutenant-governor Hutchinson, notwithstanding his recent decline in the popular favor, that, with scarcely any opposition in either branch of the Court, he was chosen to go to England as special agent in charge of the business. The governor doubted whether a person invested with such high trusts in the province could properly be spared from them without the royal permission. Oxenbridge Thacher, who had been absent from the House at the time of Hutchinson's appointment, and who already, with other leading patriots, distrusted his honesty, took advantage of the delay thus interposed to revive the question, and, urging the lieutenant-governor's attachment to prerogative, and the impropriety

1764. January.

of employing a crown officer as a representative of the province, he succeeded in obtaining a revocation of the action of the House. The Council refused to concur in this last proceeding, but to no effect, as the House could not be prevailed upon to join in instructions to the agent.

Feb. 1. At this time the governor made James Otis, the elder, Chief Justice of the Court of Common Pleas, and Judge of Probate for his county. Perhaps he hoped by these favors to disarm the opposition of that magistrate, and the more powerful opposition of his son. However this may have been, James Otis, junior, was kept in the van of the existing conflict.

May 24. April 5. The citizens of Boston, assembled in town-meeting when intelligence of the passing of the Sugar Act had just arrived, raised a committee, consisting of five persons, to prepare instructions for their Representatives in the General Court, which was about to assemble. The Representatives were Thomas Cushing (Speaker of the last House), Royal Tyler, James Otis, and Oxenbridge Thacher. The preparation of these instructions by Samuel Adams may be in some sort considered to mark his entrance on public life. He was the son of a tradesman of Boston, who had represented that town in the General Court, where he had been active in opposition to Governor Shute, and had been rejected by Governor Shirley when elected to be a Counsellor. Samuel Adams, after com-

1747.

pleting the course of education at Harvard College, had at first designed to devote himself to the clerical profession, but from this plan he was diverted by a growing interest in the political agitations of the period. For a little while he studied law, and was then engaged for a few months in a merchant's counting-house, from which employment he passed to be a partner of his father, who was a brewer. He succeeded to the business at his father's death, but it did not prosper, and he became one of the selectmen and one of the tax-collectors of Boston, the latter being a paid office. From early manhood he had been a frequent writer in the newspapers on subjects of political interest; he had industriously cultivated the arts of popular impression, and the friendship of political movers in all conditions; and, in the large circle to which his acquaintance now extended, he exerted the great influence due to talent, experience, assiduity, and patriotic zeal. He was now forty-two years old.

1740.

1748.
1763.

The "Instructions" were conceived in a moderate tone, and related mostly to general topics. They advised legislation for vacating, till a re-election, the seats of members of the House who should become crown officers; a reconsideration of the laws of excise; frugality in the public expenses; a liberal stipend for the judges; and a careful attention to the resources of material prosperity, especially to the course of trade,

which already "labored under great discouragements," and was threatened with new burdens, the unjust and hurtful character of which ought immediately and urgently to be represented in Great Britain. But the following paragraphs were especially significant and effective as a popular appeal: —

"What still heightens our apprehensions is that these unexpected proceedings may be preparatory to new taxations upon us. For, if our trade may be taxed, why not our lands? Why not the produce of our lands, and everything we possess or make use of? This, we apprehend, annihilates our charter-right to govern and tax ourselves. It strikes at our British privileges, which, as we have never forfeited them, we hold in common with our fellow-subjects who are natives of Britain. If taxes are laid upon us in any shape without our having a legal representation where they are laid, are we not reduced from the character of free subjects to the miserable state of tributary slaves?

"We therefore earnestly recommend it to you to use your utmost endeavours to obtain in the General Assembly all necessary instruction and advice to our agent at this most critical juncture; that — while he is setting forth the unshaken loyalty of this province and this town, its unrivalled exertion in supporting his Majesty's government and rights in this part of his dominions, its acknowledged dependence upon and subordination

to Great Britain, and the ready submission of its merchants to all just and necessary regulations of trade — he may be able in the most humble and pressing manner to remonstrate for us all those rights and privileges which justly belong to us either by charter or birth.

"As his Majesty's other northern American colonies are embarked with us in this most important bottom, we further desire you to use your endeavours that their weight may be added to that of this province; that, by the united application of all who are aggrieved, all may happily obtain redress."

Following out the purpose of the last paragraph but one of these Instructions, Otis, as chairman of a committee of the next House of Representatives, reported, two days before the end of the session, a letter of rebuke to the agent in England for the timid character of his communications with the Ministry. "You hope," the committee wrote, quoting the agent's language, "'there will be found a general disposition to serve the colonies, and not to distress them.' The sudden passing of the Sugar Act, and continuing a heavy duty on that branch of our commerce, we are far from thinking a proof that your hope had any solid foundation. No agent of this province has power to make express concessions in any case without express orders. And the silence of the province should have been imputed to any cause, even to

June 13.

despair, rather than be construed into a tacit cession of their rights."

Along with this letter the Representatives voted to send to Manduit a "Brief State of the Rights of the British Colonies . . . . . drawn up by one of the House." This paper, which without doubt was the work of Otis, contains what is to a considerable extent an abstract of the argument in his larger treatise soon after published. After some preliminary considerations to establish that "the Colonies having been by their charters declared natural subjects and intrusted with the power of making their own laws, not repugnant to the laws of England," the question is stated as being "not upon the general power or right of the Parliament, but whether it is not circumscribed within some equitable and reasonable bounds. The judges of England have declared . . . . . that Acts of Parliament against natural equity are void, that Acts of Parliament against the fundamental principles of the British Constitution are void." "It is evidently the interest and ought to be the care of those intrusted with the administration of government to see that every part of the British Empire enjoys to the full the rights they are entitled to by the laws." And the argument is urged that restrictions on the commerce of New England with the sugar islands are not, and could not be, productive to Great Britain, but on the contrary must be detrimental to the business of that country.

Otis had composed a treatise, which was presently published in Boston, and reprinted in London, with the title "The Rights of the British Colonies asserted and proved." This work, however daring and vigorous in some respects, can scarcely be considered in others as an expression of the highest tone of opposition to ministerial pretensions that had yet been reached. As Otis's views stood at present, he conceded to Parliament a legal competency to adopt measures which at the same time he agreed with his fellow-citizens in regarding as inequitable and tyrannous. His theory carried him far in admissions of the authority of "that august body, the Parliament of Great Britain, ... the supreme legislature of the Kingdom and its dominions." He "lays it down as a first principle . . . . . that all the British colonies are subject to and dependent on Great Britain, and that therefore, as over subordinate governments, the Parliament of Great Britain has an undoubted power and lawful authority to make Acts for the general good, that shall and ought to be equally binding as upon the subjects of Great Britain within the realm." Nay, more; he held that subjects in a British colony have no security against oppression by Parliament, except in the Parliament's sense of justice. "We must and ought to yield obedience to an Act of Parliament, though onerous, till repealed." "There would be an end of all government, if one or a number of subjects or subordinate provinces should take upon them so far to judge of

the justice of an Act of Parliament as to refuse obedience to it." In an extreme case of oppression, indeed, he considered that the sufferer was entitled to an extraordinary remedy, but still a remedy within the normal course of administration. "If the reasons that can be given against an Act are such as plainly demonstrate that it is against natural equity, the executive courts will adjudge such Act void. It may be questioned by some, though I make no doubt of it, whether they are not obliged by their oaths to adjudge such an Act void."

Otis vehemently disclaimed for the colonies all ambition for independence. Referring to Pownall's work, entitled "Colonial Administration," he said: "It is a high mistake in this author, to bring so heavy a charge as high treason against some of the colonists, by representing them 'as claiming in fact or in deed the same full, free, independent, unrestrained power and legislative within their several corporations, and under the King's commission and under their respective charters, as the government and legislature of Great Britain holds by its constitution and under the Great Charter. No such claim was ever thought of by any of the colonies.'" "Could the choice of independency be offered the colonies, or subjection to Great Britain upon any terms above absolute slavery, I am convinced they would accept the latter."

He was not satisfied to rest the reasonableness

of an immunity of the colonists from taxation by Parliament on the ground of their charters, though these, he insisted, had been dearly purchased. Nor was he content to set forth the liberality with which Massachusetts had always, by her unconstrained grants, taken part in the public burdens, though "the province of the Massachusetts," he says, "I believe has expended more men and money in war since a few families first landed in Plymouth, in proportion to their ability, than the three kingdoms together. The same, I believe, may be truly affirmed of many of the other colonies, though the Massachusetts has undoubtedly had the heaviest burden." He recurred to first principles, and treated with great boldness the profound question of the origin and foundation of government. "Our forefathers . . . . . thought they were earning a sure inheritance for their posterity. Could they imagine it would ever be thought just to deprive them or theirs of their charter privileges? Should this ever be the case, there are, thank God! natural, inherent, and inseparable rights as men and as citizens, that would remain after the so-much-wished-for catastrophe, and which, whatever became of charters, can never be abolished *de jure*, if *de facto*, till the general conflagration." "The good of the governed is the end of government, and the governed are the ultimate governors. Supreme absolute power is originally and ultimately in the people, and they never did in fact

freely, nor can they rightfully, make an absolute unlimited renunciation of this divine right. It is ever, in the nature of the thing, given in trust, and on condition, the performance of which no mortal can dispense with; namely, that the person or persons on whom the sovereignty is conferred by the people shall incessantly consult their good." "The form of government is by nature and by right so far left to the individuals of each society, that they may alter it from a simple democracy, or government of all over all, to any other form they please."

Otis specified certain "first principles of law and justice," as being "the great barriers of a free state, and of the British Constitution in particular." Among them was this, that "the supreme power cannot take from any man any part of his property, without his consent in person or by representation; taxes are not to be laid on the people, but by their consent in person or by deputation." "To be free from all taxes, but what he consents to in person, or by his representative, — this right, if it could be traced no higher than Magna Charta, is part of the common law, part of a British subject's birthright, and as inherent and perpetual as the duty of allegiance, both which have been brought to these colonies, and have been hitherto held sacred and inviolable." "What one civil right is worth a rush, after a man's property is subject to be taken from him at pleasure, without his consent? If a man

is not his own assessor, in person or by deputy, his liberty is gone."

"A representation in Parliament from the several colonies . . . . . can't be thought an unreasonable thing, nor, if asked, could it be called an immodest request." But such an arrangement would not be the best. Though, in order to justify Parliament in taxing the colonies, the colonies ought to be represented in Parliament, it was better for both parties that in that body there should be neither colonial representation nor colonial taxation. "No representation of the colonies in Parliament alone would be equivalent to a subordinate legislative among themselves, nor so well answer the ends of increasing their prosperity and the commerce of Great Britain. It would be impossible for the Parliament to judge so well of their abilities to bear taxes, impositions on trade, and other duties and burdens, or of the local laws that might be really needful, as the legislative here.

"The sum of my argument," said the writer, in conclusion, "is that civil government is of God; that the administrators of it were originally the whole people; that they might have devolved it on whom they pleased; that this devolution is fiduciary for the good of the whole; that, by the British Constitution, this devolution is on the King, Lords, and Commons, the supreme sacred and uncontrollable legislative power, not only in the realm, but through the dominions;

that by the abdication [of King James] the original compact was broken to pieces; that by the Revolution it was renewed and more firmly established, and the rights and liberties of the subject in all parts of the dominions more fully explained and confirmed; that in consequence of this establishment, and the acts of succession and union, his Majesty, George the Third, is rightful king and sovereign, and, with his Parliament, the supreme legislative of Great Britain, France, and Ireland, and the dominions thereto belonging; that this constitution is the most free one, and by far the best, now existing on earth; that by this constitution every man in the dominions is a free man; that no parts of his Majesty's dominions can be taxed without their consent; that every part has a right to be represented in the supreme or some subordinate legislature; that the refusal of this would seem to be a contradiction in practice to the theory of the constitution; that the colonies are subordinate dominions, and are now in such a state as to make it best for the good of the whole that they should not only be continued in the enjoyment of subordinate legislation, but be also represented in some proportion to their number and estates in the grand legislature of the nation; that this would firmly unite all parts of the British Empire in the greatest peace and prosperity, and render it invulnerable and perpetual."

It seems that this argument was not, on the

whole, satisfactory to the House, since the only use which they voted to make of it was to send it in the abridged form to the agent in England, with a message that it was the work of a member of the House, and that it was "to be improved as he might judge proper."

Another particular of the course in which the Instructions to the Boston Representatives were followed out was of greater interest at the time, and led to consequences of the utmost importance. The House appointed a committee to correspond with the Assemblies of the several Anglo-American colonies, with a view to the common action of each for the protection of all. The contrivance of this machinery of *Committees of Correspondence*, which played a material part in the transactions which followed, has been referred with high probability to Samuel Adams. If it was his, what it indicates is his forwardness in promoting union as a means of strength. The particular method — that of correspondence, and of committees to carry it on — would naturally suggest itself to any mind, as soon as the desirableness of joint action had become sufficiently apparent.

1764. June 14.

In the existing temper of the General Court, the governor was uneasy as long as it was in session, and he hastened to prorogue it till the autumn. When it again met, one of the first acts of the House was to adopt, on the motion of Oxenbridge Thacher, a petition to

Oct. 18.

Parliament for a repeal of the Sugar Act. The Council, not liking the language employed by the other branch, refused its concurrence. A conference resulted in an agreement to send to the House of Commons a petition, the preparation of which was intrusted to Hutchinson, so great were still the fascination of his brilliant powers and the weight of his prescriptive influence. He produced a Memorial with which all parties professed themselves satisfied, except in respect to one word. He had argued against the obnoxious tax on the ground of the *privileges* of the colony. The House substituted the word *rights*. The Council refused to accept the alteration. At length the word *liberties* was agreed upon. "The opposers of the Address in the House," says Hutchinson, in his History, "labored for the assertion of an exclusive right in the assemblies of the colonies to impose duties and taxes on the inhabitants in all cases whatever. The Council supposed such an Address would never be received by the House of Commons, and therefore thought it more prudent to consider the exemption from taxes an indulgence, which Parliament had always shown to the colonies, in leaving to the respective legislatures those powers which otherwise would have been exercised by Parliament."

The petition was in the moderate strain which might have been expected from its authorship.
Nov. 3. The two Houses next sent a joint Address

to the governor, complaining that the late Act of Parliament encroached on their "civil rights," and deprived them of "privileges" enjoyed by Englishmen at home. They prayed "that their ancient privileges might be continued." But they owned it to be their duty "to yield obedience to the Act while it continued unrepealed."

In a pamphlet entitled "The Sentiments of a British American," Oxenbridge Thacher also argued against the Sugar Act. The Sept. colonies, he maintained, having "had their share of efficiency in the late successes" of the mother country, and having "indeed contributed to the advancing and increasing its grandeur from their first beginnings," had "reason to expect that their interest should be considered and attended to; that their rights, if they had any, should be preserved to them; and that they should have no reason to complain that they had been lavish of their blood and treasure in the late war only to bind the shackles of slavery on themselves and their children." "The colonies are not the mere property of the mother state; they have the same rights as other British subjects." "It is esteemed an essential British right, that no person shall be subject to any tax but what in person or by his representative he hath a voice in laying." The late Act of Parliament "for granting certain duties in the British colonies and plantations in America" is "a grievance," because it levies taxes on the colonists "without the consent of

their representatives." "Besides, the colonies have ever supported a subordinate government among themselves." "They have always been taxed by their own representatives and in their respective legislatures, and have supported an entire domestic government among themselves. Is it just, then, they should be doubly taxed; that they should be obliged to bear the whole charges of their domestic government, and should be as subject to the taxes of the British Parliament as those who have no domestic government to support?" It could not be maintained that the war just closed "was undertaken for the security of the colonies, and that they ought therefore to be taxed, to pay the charge thereby incurred": for the security of the colonies against the French was as important to Great Britain as to themselves; the colonies contributed their full proportion of men and money to the war; and they "were no particular gainers by these acquisitions," none of the conquered territory being annexed to them, while Great Britain "gained immensely" by "the command of the whole American fur-trade and the increased demand for their woollen manufactures from their numerous new subjects in a country too cold to keep sheep."

The extraordinary power given by the late Act to courts of Admiralty was set forth in this treatise as a special subject for complaint. In those courts, in which there was no protection in

a trial by jury, "the colonists were put under a quite different law from all the rest of the King's subjects." In the colonial courts of Admiralty, the judge had a commission of five per cent on the value of all property seized and condemned. "What chance does the subject stand for his right upon the best claim, when the judge, condemning, is to have an hundred, or perhaps five hundred pounds, and, acquitting, less than twenty shillings?" The revenue officer, making a seizure, might have his case tried "in any court of Admiralty for the particular colony, or in any court of Admiralty to be appointed over all America, at his pleasure"; so that a question as to property "ever so lawfully and duly imported might be carried for trial to a court a thousand miles away, and the defendant have to go thither at an oppressive expense, and, before he could have a trial, be obliged to find sureties in a place where his character and property were unknown."

The empowering of commanders of the King's ships to seize and libel was represented as "another great hardship on the colonies. The knowledge of all the statutes relating to the customs, of the prohibitions on exports and imports, and of various intricate cases arising on them, requires a good lawyer. How can this science ever be expected from men educated in a totally different way; brought up upon the boisterous element, and knowing no law aboard their ships but their own will?" And whereas hitherto offi-

cers seizing goods did so at their peril, and, if they failed of obtaining a forfeiture on the trial, were liable for damages, the recent law removed this check on their caprice and violence, by authorizing them to "charge the revenue with the cost, with the consent of four of the commissioners of the customs."

It was further to "be observed, that the interest of Great Britain is greatly affected by these new regulations." Apart from the considerations that such inequitable legislation tended to impair the affection entertained for her by her colonies, and to make a precedent for future usurpations on the rights of British-born subjects, its immediate injurious effect on her own commerce was enough to condemn it. "The greatest part of the trade of Great Britain is with her colonies. . . . . The greatest part of the profits of the trade of the colonies, at least on the continent, centres in Great Britain. The colonists . . . . . are perpetually demanding the linen, woollen, and other manufactures of Great Britain. . . . . And, while they can pay with any proper remittances, their demands will be perpetually increasing. Great Britain, besides, is the mart which supplieth the colonies with all the produce of the other countries in Europe which the colonists use." But how to provide for the remittances, without which this vast trade must be annihilated? "As the colonists have no gold or silver mines in them, it is certain that all the

remittances they make must be from their trade." "One grand source of these remittances is the fishery, which by the duty of threepence a gallon on molasses, must entirely be at an end. That branch can never bear the high duties imposed, nor subsist without the molasses which the trade to the foreign islands furnisheth." The fishery broken down, and with it the resource for remittances to England, either, "1. the colonies will universally go into such manufactures as they are capable of doing within themselves, or else, 2. they will do without them, and, being reduced to mere necessaries, will be clothed like their predecessors, the Indians, with the skins of beasts, and sink into like barbarism; either of which habits of theirs would result in a vast loss to the wealth of England, and to the means of living of merchants, manufacturers, artisans, and laborers, for nothing but a protection (which in fact would not be obtained), to the gains of the few planters in the English sugar islands, whose importunity had proved so mischievously powerful in Parliament. Doth not this resemble the conduct of the good wife in the fable, who killed her hen that every day laid her a golden egg?" The writer concludes with the expression of "his most ardent wishes that the happy island of Great Britain may grow in wealth, in power, and glory to yet greater degrees; . . . . . that her colonies, now happily extended, may grow in filial affection and dutiful submission to her, their mother; and

that she in return may never forget her parental affections."

So business-like, so calm and friendly, was the tone in which the man, not behind the foremost at this time in the confidence of the patriots of Massachusetts, made his last plea for the rights of his fellow-citizens. He lived but a few months longer, though long enough to see the cause of justice and liberty outraged and disgraced by some of those acts of unreasoning violence which opposition to it too often provokes.

Hitherto, and for a considerable time longer, while the abstract right of the colonies to be exempt from taxation by a Parliament in which they were not, and practically could not be, represented had been steadily and emphatically affirmed, there had been hesitancy and vacillation as to the extent of the application of that doctrine. In respect to the legitimacy of pecuniary levies, a distinction continued to be made between taxes, strictly so called, and moneys paid at the custom-houses, the latter being deemed liable to be rightfully exacted by Parliament, as falling under the head of regulations of commerce for the whole empire; which regulations, as having no local restriction, needed to be made, and might justly be made, by one supreme authority. Regulations of this kind, though emanating from a competent jurisdiction, might from time to time be hurtful on the whole, or especially onerous and oppressive in their bearing

on some class or classes of subjects of the crown; and then the arguments against them would be of the same description as arguments against any injudicious or mischievous law, addressed to any legislative body which was thought to have acted erroneously within its legitimate sphere of action.

And such was the main argument of the important treatise which has just been described, as well as mostly the strain of other arguments of the time. But the writers were not unaware that the case of the other form of taxation might next be nakedly presented, and that, if it should be, their protest, less embarrassed as to the principles from which they should have to reason, would be more awakening to the public mind. If the colonies suffered from an absurd system of duties on imported goods, that perhaps could not be shown to be anything worse than perverse severity on the part of Parliament. But if Parliament should undertake to lay an internal tax on the colonies, then Parliament would pretend to an authority in no wise belonging to it. Such an attempt would be sheer usurpation. External taxes, as they were called, might be argued against without offence, on grounds of expediency and equity, as long as the Englishman's right of petition should not be denied; to argue against them with deference and moderation was the course of good judgment, as long as there was a chance for a hearing; and, if argument against them should prevail, it might be presumed that more hazardous schemes

would be abandoned. But if the event should prove different, and the harsher measures should be taken, then the opposition which would become necessary could be conducted with the more advantage, if all unnecessary provocation were for the present abstained from. In respect to the Sugar Act, the circumstance which took it out of the category of a mere regulation of commerce, and made it more assailable on the generally recognized principles, was that it was avowedly a tax for the relief of the imperial Exchequer. Its title expressly sets forth the design of raising a revenue "towards defraying the expenses of defending, protecting, and securing the British colonies and plantations in America." And it was further fairly interpreted in the light of the fact that, the month before it was passed, the House of Commons, without a division, had adopted a Resolve "that Parliament hath a right to tax the colonies." The principle was one of vital importance. Its possible applications might be extended to cover a vast field of Parliamentary action.

March.

When the agent of Massachusetts in London sent information of the passing of the stringent Sugar Act, he added that Mr. George Grenville, who had within the year become Prime Minister, combining the two offices of First Lord of the Treasury and Chancellor of the Exchequer, was contemplating the extraction of a revenue from the colonies, to be collected by

1763. April 27.

means of stamps to be used in the transactions of business. Mr. Grenville had been looking round for means to relieve the people of England from the burden of what he thought the extravagant expense of the late French war, and at the same time to maintain a considerable military force. Having pondered a scheme for raising money from the American colonies, he prepared the way for carrying it into execution by bringing the House of Commons to a Resolve that "it might be proper to charge certain stamp duties" upon them. He sent for the colonial agents, and informed them that, if they could point out any other way of obtaining money from their constituents which would be more agreeable to them, he would give it consideration. But none of them had instructions to any such effect.

1764. March 10.

A system of stamp duties already existed in England. The revenue to be obtained by means of its extension to America would not, according to the calculation of one of Grenville's friends, exceed a hundred thousand pounds a year. It was said that he frankly gave out that at present he expected only to establish the principle, to be applied subsequently on a larger scale. A declaration of that design was superfluous. It proclaimed itself.

CHAPTER XVII.

NEW HAMPSHIRE, RHODE ISLAND, AND CONNECTICUT.

When the peace of Aix-la-Chapelle vainly promised tranquillity along the northern border of New England, attention was turned to that portion of the inviting country west of the river Connecticut which was still vacant of inhabitants. The governor of New Hampshire informed the governor of New York that he

1749. Nov. 17. was instructed to make grants of such lands there as lay within his jurisdiction; and, to the end of avoiding mutual interference, he desired to be acquainted with the extent of the claims of New York in the debatable region. Meanwhile, taking for granted that New York could maintain no title to a boundary further eastward than was made by a protraction of the line of longitude twenty miles east of Hudson River, which separated that province from Connecticut and Massachusetts, Governor Went-

1750. June 3. worth made a grant of the parcel of land, since called Bennington, which lies six miles north of the northern boundary of Massachusetts, and somewhat more than twenty miles east of the Hudson; and within four years more, as

he informed Lord Halifax, he had "granted thirty-three townships" in that quarter. 1754. April 8. The governor of New York protested against this assignment, objecting that, by the patent of King Charles the Second to his brother, New York extended "from the west side of Connecticut River to the east side of Delaware Bay," and that, though later arrangements had pushed the boundary of Massachusetts and Connecticut as far west as to a line drawn north and south at a distance of twenty miles from the river Hudson, yet nothing had occurred to afford any foundation for such a claim on the part of New Hampshire, the original grant of which province embraced no lands distant more than sixty miles from the sea.

The dispute, referred to the King for decision, remained unsettled when war again broke out. The campaign on and about Lake George and Lake Champlain brought the intervening country into notice, and caused numerous applications for it when peace again approached. Governor Wentworth had a survey made of lands extending sixty miles along the Connecticut, and caused towns six miles square to be laid out in three tiers on both sides of that river. 1761. Of these, stimulated by an arrangement which reserved for his own property five hundred acres in each township, he at once made sixty grants on the west side of the river and eighteen on the east side. 1763. Two years later the num-

ber of the grants west of the river amounted to one hundred and thirty-eight, the western boundary, after passing the head waters of the Hudson, being continued by a line running northwardly twenty miles east of Lake Champlain.

The attraction of the newly granted lands, enhanced by the new peace along the border, drew into them numbers of settlers from Massachusetts and Connecticut. The governor of New
Dec. 28. York issued a proclamation, claiming jurisdiction over the country north of Massachusetts and west of the river Connecticut. Governor Wentworth made a counter-proclamation,
1764. and ordered his officers to arrest persons
March 13 obstructing the administration of New Hampshire within the controverted limits. Wentworth wrote to Lord Halifax that, down to this year, he "met with no opposition from New York; but now a number of armed men, attended by the patroon and High Sheriff of Albany, seized upon and carried off from Pownall a justice of the peace, a captain of militia, a deputy sheriff, who was executing a legal process, ... with one other principal inhabitant." The matter came before the Board of Trade, and through them before the Privy Council, who decided in favor of New York. But there was an ambiguity in the language of the Council's decree, which was interpreted by one party as meaning that the disputed territory always had belonged of right to New York, and that accordingly the convey-

ances by the governor of New Hampshire were void and of no effect, the other party construing the decree to mean merely that the lands were hereafter to be under the jurisdiction of New York, leaving the property undisturbed as belonging to the parties to whom the authorities of New Hampshire had conveyed it. The royal control over the territory ceased before the dispute was determined. The *New Hampshire Grants* (as they were called) west of the Connecticut, with the addition of as much territory, adjoining on the north, as lay east of Lake Champlain, came to constitute the State of Vermont, and ultimately the fourteenth State of the American Union. 1777. 1791.

To this troubled time belong the preliminary arrangements for that seminary of learning which was to complete a provision for the higher education in all the four colonies of New England. As in the other cases, the first movers in the plan were ministers of religion. The Congregational ministers of New Hampshire had addressed a petition to the governor, praying for a charter for "an Academy or College within the province, without prejudice to any other such seminary in neighboring provinces." The governor took no interest in the scheme, but Eleazer Wheelock, who had been a prominent actor ever since his association with Whitefield, took it up with characteristic enthusiasm, associating it with an earlier enterprise of 1758. 1762.

his own. At Lebanon, in Connecticut, where he was minister, he had a school supported by charitable contributions, at which he taught a number of natives, and with them some English youth. The advantage of transferring his institution to a place where it could be maintained at less expense influenced him to listen favorably to pro-

1769. Dec. 13. posals addressed to him from New Hampshire; and ultimately a college named for the Earl of Dartmouth, one of its benefactors,

1770. Sept. was set up, with twenty-four pupils, at the town of Hanover, one of Wentworth's recent grants on the Connecticut. The lecture-rooms first used were in log-houses. The first class of graduates numbered four members.

The question as to writs of assistance does not seem to have created excitement in New Hampshire. In that colony the writ was granted by the Superior Court, as soon as application was made for it. Neither in Connecticut nor in Rhode Island does it appear to have been applied for, till seven or eight years after the question of its legality had been determined in Massachusetts. Rhode Island, however, gave special offence by violations of the Revenue Laws. In explanation of the facts complained of, Stephen Hopkins, who

1760. Dec 20. had now been governor five years, wrote to Pitt that his colony had by its privateers taken many French prisoners, and had sent them by flags of truce to the West Indies, and that perhaps under this cover there had been some

illicit trade; but that the Legislature had resolved, though it was a harsh measure, "to put a total stop to all intercourse with the French for the future." Bernard did not view the proceedings in the same light. "These practices," he wrote to Pownall, "will never be put an end to till Rhode Island is reduced to the subjection of the British Empire, of which at present it is no more a part than the Bahama Islands when they were inhabited by the buccaneers." 1761. May 9.

With the increase of her wealth and of her communications with the neighboring provinces, the peculiarity of Rhode Island had undergone sensible modification. The establishment, however, within her limits, of a seminary for the higher instruction was due to strangers. Morgan Edwards, a Welshman by birth, who had been three years established in Philadelphia as minister of a Baptist church, engaged the co-operation of some of his professional associates, and others of their faith, for the founding of a college to give a better education to their ministry. The vicinity and support of a numerous community of Baptists being a reasonable consideration in determining the site, the institution, since so useful and eminent, now known as Brown University, was first seated at Warren, in Rhode Island, whence, after six years, it was removed to Providence. The first President was James Manning, who had been active in soliciting the requisite

pecuniary contributions from private benefactors.

February The colony, instituting at the origin a frugal policy, from which it has not since departed, gave nothing but exemption from taxes, and a charter. By this the government of the institution was vested in two Boards; namely, that of the President and Fellows, twelve in number, of whom two thirds were required to be Baptists, and that consisting of thirty-six Trustees, of whom twenty-two were to be of the same

1769. denomination. At the first Commencement, seven young men were admitted to the degree of Bachelor of Arts.

Intelligence from England of the proposed re-

1764. vision of the Sugar Act caused the Gen-

Jan. 24. eral Assembly of Rhode Island to be convened. Instructions were sent by it to the agent to exert himself, "in conjunction with the agents of the northern colonies," to obstruct the consummation of the scheme; the governor was desired to contribute his endeavors in a letter to the Board of Trade; and an elaborate remonstrance was despatched to that body, setting forth the hardship and inexpediency of the contemplated legislation. "The colony of Rhode Island," it was therein represented, "includes not a much larger extent of territory than about thirty miles square, and of this a great part is a barren soil, not worth the expense of cultivation. The number of souls in it amount to forty-eight thousand, of which the two seaport towns

of Newport and Providence contain near one third. The colony hath no staple commodity for exportation, and does not raise provisions sufficient for its own consumption. . . . . The quantity of British manufactures and other goods of every kind imported from Great Britain, and annually consumed in this colony, amount at least to a hundred and twenty thousand pounds sterling. . . . . The only articles produced in the colony, suitable for a remittance to Europe, consist of some flax and oil, and some few ships built for sale, the whole amounting to about five thousand pounds sterling per annum." The annual difference between five thousand pounds and the hundred and twenty thousand due in England had to be made up by the gains of commerce. For this commerce, that is, for exportation elsewhere than to Europe, Rhode Island had "some lumber, cheese, and horses," which, with fish "of an inferior quality," were in demand in the West India Islands. In the year preceding that of this remonstrance, "there were one hundred and eighty-four sail of vessels bound on foreign voyages, that is, to Europe, Africa, and the West Indies; and three hundred and fifty-two sail of vessels employed in the coasting trade, that is, between Georgia and Newfoundland inclusive; which, with the fishing-vessels, were navigated by at least twenty-two hundred seamen. Of these foreign vessels, about one hundred and fifty are annually employed in the

West India trade, which import into this colony about fourteen thousand hogsheads of molasses, whereof a quantity not exceeding twenty-five hundred hogsheads come from all the English islands together," even the principal of those islands, Jamaica, affording in some years no supply whatever. The molasses thus imported into Rhode Island paid for the English manufactured goods imported into that colony, being partly sold for that purpose in the neighboring colonies, and partly distilled into rum, which was sent to the coast of Africa, where, superseding the use of French brandy, it was "sold for slaves, gold-dust, elephants' teeth, camwood, &c." Some of these articles were sent direct to Europe, while the slaves were disposed of "in the English islands, in Carolina and Virginia, for bills of exchange" on London. A duty upon foreign molasses might "amount to a prohibition." While, on the one hand, the English islands of the West Indies were unable to supply anything like the quantity of molasses wanted in Rhode Island alone, on the other hand they furnished a very limited market for the exportable products of New England.

From these facts it was argued that restrictions on the trade in question, without benefiting the English planters of the West Indies, would distress the colony, which was already in reduced circumstances, laboring under a debt of nearly seventy thousand pounds for the expenses

of the late war alone. "Upwards of thirty distil-houses, erected at a vast expense, ... for want of molasses must be shut up, to the ruin of many families, and of our trade in general, particularly of that to the coast of Africa. . . . . Two thirds of our vessels will become useless, and perish upon our hands; our mechanics, and those who depend upon the merchant for employment, must seek for subsistence elsewhere; . . . . . a nursery of seamen, at this time consisting of twenty-two hundred in this colony only, will be in a manner destroyed; and, as an end will be put to our commerce, the merchants cannot import any more British manufactures, nor will the people be able to pay for those they have already received." From this argument, clear and forcible as it is, and skilfully composed for the immediate end in view, the reader does not gather that there was as yet a comprehension in Rhode Island of the magnitude, or even of the nature, of the great question of right which had arisen.

There was, however, among the rulers and the people of that colony a different way of looking at the subject from what this grave and forbearing paper expressed. Governor Bernard presently after wrote to the Secretary of the Board of Trade, that the governor of Rhode Island, under an order of the Assembly, had refused to administer the oath of office to a person appointed by the Surveyor-General to be Comptroller of the Revenue at Newport, and

Feb. 10.

that a vessel seized at Providence for smuggling had been boarded, rescued, and taken to sea by "a parcel of people with blackened faces." On this occasion, if Bernard's report to Lord Halifax was well founded, "the governor of Rhode Island said publicly, that the Parliament of Great Britain had no more right to make laws for them than they had for the Mohawks."

Dec. 14.

It is more likely that what the governor, Stephen Hopkins, did say was, that Parliament had no more right to tax his constituents than his constituents had to tax the Mohawks. At this time he emerged from a cloud of local cabals which for years had obscured his merit, to take thenceforward a salutary lead of the public opinion and action of his colony. In the month next after the transmission by Massachusetts of her circular letter to the other colonies, Rhode Island appointed a committee consisting of her governor and two other persons, to consult with other colonial committees respecting measures for procuring a repeal of the Sugar Act, for hindering the passage of the projected Stamp Act, "and, generally, for the prevention of all such taxes, duties, or impositions, that may be proposed to be assessed upon the colonists, which may be inconsistent with their rights and privileges as British subjects." While this Assembly was sitting at South Kingstown, there occurred a riot at Newport, which further manifested the

July 30.

temper of the people. A party from a King's ship which was engaged in the revenue service in Newport Harbor arrested a deserter on shore. A mob rescued him, and treated roughly the officer in command of the party.

On the report of the committee appointed in the summer, the Assembly addressed a petition to the King, and further indicated their sense on the pending questions, by arranging to furnish their agent in London with copies of a pamphlet entitled "The Rights of the Colonies examined," a production of Governor Hopkins. The petition, which in its tone and character was strictly what was indicated by the name, having set forth briefly the same considerations as had been urged in the "Remonstrance" six months before, proceeded to object to the Stamp Act which was understood to be in contemplation, that it would be a violation of "just and long-enjoyed rights. We have hitherto possessed," wrote the Assembly, "as we thought according to right, equal freedom with your Majesty's subjects in Britain, whose essential privilege it is to be governed only by laws to which themselves have some way consented, and not to be compelled to part with their property, but as it is called for by the authority of such laws." And they expressed the object of their application in the following clear and concise terms: "We do therefore most humbly beseech your Majesty that our freedom and all our just rights may be con- November.

tinued to us inviolate; that our trade may be restored to its former condition, and no further limited, restrained, and burdened than becomes necessary for the general good of all your Majesty's subjects; that the courts of Vice-Admiralty may not be vested with more extensive powers in the colonies than are given them by law in Great Britain; that the colonists may not be taxed but by the consent of their own representatives, as your Majesty's other free subjects are." And the petition closed with the assurance, "Whatever may be determined concerning them, the governor and company of Rhode Island will unalterably remain your Majesty's most loyal, most dutiful, and most obedient subjects."

After a survey of the condition of colonies at different ages of the world, to the end of showing that it had been the practice of nations to allow to colonists the same rights as those enjoyed by native subjects, the treatise of Governor Hopkins proceeded to present the same threefold subject of complaint as was set forth in the petition. "The British Ministry," he says, "whether induced by a jealousy of the colonies, by false informations, or by some alteration in the system of political government, we have no information; — whatever hath been the motive, this we are sure of, the Parliament, at their last session, passed an Act limiting, restricting, and burdening the trade of these colonies much more than ever had been done before; as also for greatly enlarging the

power and jurisdiction of the courts of Admiralty in the colonies; and also came to a resolution that it might be necessary to establish stamp duties, and other internal taxes to be collected within them." He explicitly recognizes the current distinction between internal and external taxes, and, in respect to the latter class, admits the legitimate authority of Parliament to make regulations of commerce affecting alike all portions of the Empire, and the colonies with the rest. Against two of the alleged ministerial encroachments, therefore, he argues as being only abusive and oppressive, and grievous exercises of constitutional power, — the Sugar Act, as threatening the colonies with commerical ruin; the new Admiralty regulations, as cruelly wrongful to parties pursued by the King's officers into the Admiralty courts. But when it proceeds to discuss the projected Stamp Act, the argument moves on a higher plane. "The resolution of the House of Commons . . . . . asserting their right to establish stamp duties and internal taxes, to be collected in the colonies without their own consent, hath much more, and for much more reason, alarmed the British subjects in America, than anything that had ever been done before. . . . . They who are taxed at pleasure by others cannot possibly have any property, can have nothing to be called their own; they who have no property can have no freedom, but are indeed reduced to the most abject slavery."

After the conquest of Canada, Governor Fitch, of Connecticut, found himself justified in report-
1761. April 25. ing to the British Minister respecting trade with the French, "I have not been able to discover anything of that kind among us." Requisitions continued to be made upon the colony for troops, especially to build, repair, and make communications between the forts erected to secure the occupation of the conquered country. In the spring following the capitula-
March 26. tion, Connecticut raised two regiments of eleven hundred and fifty men each. On the breaking out of war with Spain, an expe-
1762. March 4. dition was despatched against Havana, in which were twenty-three hundred provincial troops under the command of General Lyman, of Connecticut, Israel Putnam being one of his lieutenant-colonels. Of a thousand soldiers from that province, only a few scores returned, the rest having fallen victims to the unhealthy climate. During the whole course of the war, Connecticut had rendered services the most generous, energetic, and efficient.

According to a report of the governor to the Lords of Trade, the population of the col-
Sept. 7. ony in the last year of the war amounted to "a hundred and forty-one thousand whites, and four thousand five hundred and ninety blacks, or thereabouts." Of Indians there were "about nine hundred and thirty, considerable part whereof dwelt in English families." There were thirteen

regiments of militia, mustering twenty thousand two hundred and sixty-four men. Six hundred and fifty-one seamen navigated a hundred and fourteen vessels, which had an aggregate measurement of three thousand five hundred and twenty-seven tons. Exports, probably amounting annually to a hundred and fifty thousand pounds sterling, consisted of meats, flour, live-stock, and lumber, to the West Indies, whence were brought back rum, sugar, molasses, and salt. Meat and grain were also sent "to the neighboring governments, especially to Boston and New York, from which ports were mainly received British manufactures," though the people were beginning to import directly for themselves. The value of British manufactured goods imported in a year was "probably a hundred thousand pounds sterling or more." Home-made clothing was "mostly of the coarser sort for laborers and servants." The ordinary revenue derived from taxes on lands, polls, and personal property (the receipts from duties being inconsiderable) amounted to about four thousand pounds sterling, of which sum "about one-eighth part was appropriated to the support of schools for education of children and youth."

Connecticut shared in the excitement produced by the passing of the Sugar Act and the menace of the Stamp Act. The General Assembly raised a committee, consisting of three members besides the governor, "to collect and set 1764. May.

in the most advantageous light all such arguments and objections as might justly and reasonably be advanced against creating and collecting a revenue in America, ... and especially against effecting the same by stamp duties." The committee executed their task by the composition of "a certain book or pamphlet, entitled 'Reasons why the British Colonies in America should not be charged with internal Taxes, &c.'" This treatise the General Court voted to transmit to their agent in England, "to be made use of to the purpose aforesaid." And they instructed the governor to address to the Parliament a Memorial "against said bill for a stamp duty, or any other bill for an internal tax." Jared Ingersoll was now on his voyage to England, to be associated with Jackson in the agency for the province.

October.

Agreeably to a circular letter addressed to all the colonies by Lord Halifax, Secretary of State for the Southern Department, Governor Fitch had furnished a schedule of particulars desired by the Ministry as "materials and guides for the framing of the said Act," availing himself, however, of the opportunity to repeat his remonstrance against the dangerous scheme. When Ingersoll reached London, Mr. Whately, Secretary of the Treasury, showed him the draft of the Stamp Act, which was already prepared, and it was said that Ingersoll prevailed to introduce into it some amendments, one of which served to put off the time for its going into effect.

The project of that Act was pursued with inconsiderate obstinacy, though it encountered a spirited debate when it was brought into the House of Commons. Mr. Grenville expounded its provisions in a long, dispassionate, and plausible argument. He was answered by Alderman Beckford, Jackson (Franklin's friend), Colonel Barré, and others. Charles Townshend, replying to Barré, asked, "And now will these Americans, children planted by our care, nourished up by our indulgence until they are grown to a degree of strength and opulence, and protected by our arms, — will they grudge to contribute their mite to relieve us from the heavy weight of that burden under which we lie?" This language called out Barré in that burst of eloquence, familiar ever since in the declamations of American school-boys, beginning, "They 'planted by your care'! No! your oppressions planted them in America." Francis Dana, afterwards Chief Justice of Massachusetts, and Jared Ingersoll, agent for Connecticut in London, heard the speech, and both sent home reports and commendations of it. The bill was pending in the House between three and four weeks, at the end of which time it was passed, the largest number of votes which had been given against it in any stage of its progress not having amounted to fifty. It was concurred in by the House of Lords, where it appears to have met no resistance, and in due course re-

1765. Feb. 6.

Feb. 27.

March 8.

March 22. received the royal assent. No apprehension of consequences counselled a pause.

The Stamp Act — as it has ever since been called by eminence — provided in sixty-three sections for the payment, by British subjects in America to the English Exchequer, of specified sums, greater and less, in consideration of obtaining validity for each of the common transactions of business. Deeds, bonds, notes, indentures, insurance policies, leases, contracts of sale, were to have no legal value, and were not capable of being enforced by courts of justice, unless they were written on stamped paper bought of the officers of the crown. Without stamped wills testamentary dispositions would be void. Without stamped receipts debts could not be acquitted. Vessels at sea, without clearances written on stamped paper, were liable to seizure and confiscation if they fell in with a King's ship. Only stamped newspapers might be exposed for sale. Without stamped certificates marriages could not be lawfully contracted. Unstamped writs and executions had no force or meaning. In short, the American citizen must be daily paying money into the British Treasury at its stamp office, or, in respect to much of the protection which society undertakes to afford, he was an outlaw.

CHAPTER XVIII.

IMMEDIATE CONSEQUENCES OF THE STAMP ACT.

The change in the colonial policy of the British government, distinctly expressed by the Stamp Act, was equally wrongful and imprudent. The novel severity in the Acts of Trade, though so onerous as to provoke extreme resentment, did not present the strongest case of violation of right. There was at least a semblance of reason in the distinction which in the colonies had hitherto been recognized between internal taxes on the one hand, and, on the other, regulations of commerce, which, as embracing the whole Empire, and designed to adjust to each other the interests of every part, needed to be made by the imperial government, and which a part of the Empire should not complain of, simply because of any unequal pressure upon itself. In the early stage of the controversy, the complaint was not so much that in imposing burdens upon trade an abstract right had been infringed, as that the particular system of duties was adverse to the prosperity of the colonies and the parent country alike, and that the methods for enforcing it were offensive and arbitrary; — that especially it was

contrary to natural justice and to the rights of Englishmen, which were the same in every dependency of the crown as in the heart of the Kingdom, that a custom-house officer should have power to compel a claimant to try his case without a jury; and not only this, but to try it before a court of the officer's selection in some distant place, where the claimant would be at a disadvantage in conducting his defence, and in obtaining the securities which the law made it imperative for him to furnish.

The Stamp Act, being simply an internal tax, presented the fundamental question of right in a form cleared from all subtleties and qualifications. According to immemorial English maxims, a tax was a voluntary grant of the Commons to the sovereign. It required, therefore, to be made by the owners of the property granted, or, what was the same thing, by their authorized representatives. The colonists said: The people of England and Scotland, in Parliament assembled, have a right to give away their own money to the King, but they have no right to give away ours. Representation and taxation go together. Let us send members to Parliament, and it will be just that we should be bound by the joint vote of Knights and Burgesses in that Legislature, as other parts of the realm will be bound by votes in which we shall share. The scheme of a representation in Parliament was accordingly canvassed on both sides of the water. But it

found favor on neither, by reason of considerations of the inconveniences incident to the plan from distance and other causes. And so the question remained whether Englishmen in America could rightfully or constitutionally be taxed — that is, have their money given away — by their fellow-subjects within the four seas.

If natural right, and English maxims corresponding to it, denied such a power to Parliament, was any un-English liability imposed by the terms of those charters from the King, under which the colonists in New England managed their affairs? On the contrary, the royal charters, on no other money consideration except that of "the fifth part of all gold and silver ore and precious stones . . . . . obtained in any of the lands and provinces," had constituted legislative bodies with power "to impose and levy proportionable and reasonable assessments, rates, and taxes upon estates and persons . . . . . for the defence and support of government . . . . . and the protection and preservation of the inhabitants."

When the Ministry maintained that England had put herself to heavy charge for the defence of the colonies in the late war, of which it was just that they should bear a part, the colonists rightly replied that the interests and objects of that war had been English as much as theirs; that they had borne in it their full proportion of expense, and much more than their full propor-

tion, as had been proved by the act of the English government itself, which had already sent them large sums for reimbursement; that, at all events, whatever it was just they should pay they were willing to pay, but it must be by their own action. If the King wanted money from them, let him so inform them, as he had hitherto done in every period of their history, by requisition through his Secretary of State; for neither they nor their ancestors had ever been inattentive to such requisitions, but, on the contrary, had always met them with loyal liberality, and there was no reason to doubt that either they or their descendants would ever show less alacrity. If it was their money that the Ministry had occasion for, it was of them that the Ministry should ask it, and not of the Knights and Burgesses of Kent or Lothian, who had not inherited nor earned it, and had no right to dispose of it.

If this attempt at usurpation would at all times have been unrighteous, never was an attempt at usurpation more untimely. In the trial of nearly a century, the independence of British America has now proved most auspicious to its greatness. But nothing of the sort was anticipated, or, at all events, was generally looked for, when events were rapidly tending towards that consummation. Notwithstanding that the Ministers of the crown had been watched with jealousy, and that the supercilious conduct of the British

officers had often given offence, it is probable that the people of New England had never been so affectionately loyal as just before the close of the French war. They shared in the enthusiasm for the fair-spoken and well-conducted young King, the first of his line who had been "born a Briton." The overthrow of the hostile power at the north relieved them from a burden of fears and griefs which had tormented them for nearly a hundred years. Since the Revolution which placed William of Orange upon the British throne, they had been undisturbed by serious apprehension of encroachments on their religious liberty. Substantially they had long had their way in respect to their internal administrations. Connecticut and Rhode Island were almost republican by charter, and in Massachusetts the royal governors had been discouraged from repeating the annoyance of asking for stated salaries for themselves and the judges. Theoretically the Trade and Navigation Laws were oppressive, but the oppression had been almost unfelt, for their strict enforcement was so manifestly adverse to the prosperity of both parties in the commerce between the colonies and the mother country, that they had wellnigh sunk into a dead letter, and the daily evasion or rather disregard of them was recognized and respectable. Against any possible menace of foreign hostility, New England reposed in safety under the assured protection of Great Britain, a protection never so in-

fallible as now. While command of the commerce of an industrious and rapidly growing people was enriching England, the benefit was reflected on the thriving colonies. Governors came from England to Massachusetts with no great power to harm her, — so vigorously did the vigilant legislation of past times restrain them, — and with motives to treat her well, for, always generous when she was not forced into a defensive attitude, she held in her discretion their means of living. The people were content with their condition, and coveted no change. They were proud of the mother country, and loved her well. A new era of prosperity seemed to be opening before them. Such was the time chosen by Mr. George Grenville for his crucial experiment.

It should occasion no surprise that at this extreme crisis we find hesitation, and more or less appearance of timidity, on the part of the colonists. While the professions of loyalty which through two or three generations had been repeated with constantly increasing strength were altogether sincere, and the sentiment of loyalty was tender and cordial, the sense of injury which was awakened by the cruel and contemptuous legislation of the parent country had to pass through the stage of sorrow before it reached that of anger. The idea, too, when good-will and reason failed, of obtaining justice from England by force or menace, was one hard to approach.

Under the brilliant administration of William Pitt, the greatness of England had risen to an imposing height. Her fleets and armies had broken the power of France in both hemispheres. She had extended her dominion in Africa and the West Indies, and founded a vast empire in the East. What were the two hundred and eighty thousand people of Massachusetts, what were the six hundred thousand people of New England, that they should think of a conflict with her, if she should choose to push them to the wall? They had no allies. France they hated with a traditional animosity, not only as being Englishmen themselves, but as having recorded against her a long score of peculiar wrongs; and France had already as much on her hands as she was equal to. Other English colonists besides themselves were wronged by the recent English legislation. But the people of those colonies were almost strangers to them, and were scarcely their equals in power and resources, even if, which was far from being the case, they had been prepared for some joint action with one another. The cultivated, orderly, scrupulous Puritan of Massachusetts and Connecticut was not yet prepared to place confidence in the people of the less fortunate colonies. Guided by his still imperfect knowledge of his neighbors, he was not yet ready to regard without a degree of contemptuous distrust the rough Dutch fur-trader of New York, whom more than once he had had to

keep from Indian alliances by suggestions of the strong hand; the mixture of moon-stricken Quakers and South-German boors in Pennsylvania; the lazy, swaggering cavalier (so called) who raised Virginia tobacco; the English "ill-livers," unequally yoked with the untaught though devout Huguenot artisans of Carolina; or the gaol-birds said to be transported to Georgia by Oglethorpe's humane arrangement; while the obloquy was amply retorted by the judgment, current in all those colonies, of the New-Englander's sour and narrow bigotry. Before long, as he came to know more of his neighbors, he found cause to rate them far differently; but his prejudices, and equally the counter-prejudices softened in other parts of the country only by the sense of a community of suffering from English injustice, — these things stood formidably in the way of heartiness and energy in united action.

The second Revolution in New England brought into play the same fears, the same ambitions, the same weaknesses, the same passions, as that which preceded and that which followed it, each at nearly a century's distance. In the third, leading men, while declaring themselves dissatisfied with the proslavery domination, trembled before the inconveniences of opposing it, or hoped for advantages to themselves from acquiescence in it. In the first, Dudley, professing friendship for his country, became the abject tool of the Stuart despotism. In the second, Hutchin-

son, with like professions, and probably more than equal self-deception, could not sacrifice his hopes of fortune and title to the stern obligations of patriotic service. The stage which the dispute between England and her American dependencies had reached while Bernard was in Boston was that in which a vacillating and equivocal action must be expected to appear. Not only did the magnitude of the threatened struggle discourage selfish men, and reduce them to self-humiliation and imbecility, but there was really for honest minds an uncertainty in determining the point at which submission and conciliation should be deemed hopeless as means of relief. It is at such times that plausible pretenders to patriotism find a hearing, and a chance to disgrace and disable the community then most exposed to their arts.

Thus, on the appearance of a new form of usurpation, when Thacher, Otis, and others propounded the principles of colonial liberty which were violated, they met to a wide extent a ready response in the public mind. But as the danger came nearer, and with it the practical question as to the means of escape or resistance, a cordial unanimity was unavoidably interrupted. Before there could be union of judgment which might dictate proceedings of an uncompromising character, there was needful a pause for reflection; and, as long as it lasted, there must be an abstinence from such strong measures as would not admit of being retraced. The deferential tone

of the petition of the General Court of Massa-
1764. June. chusetts to Parliament, in the summer in which the decision of the latter body on the question of an unequivocal policy of internal taxation was advancing, does not much perplex one who has observed the too common course of such bodies when brought into positions of dangerous responsibility. The popular branch of the Legislature, much the larger in numbers, adopted a spirited Address to the King, and sent it up to the Council for the concurrence of that body. Hutchinson was a Counsellor, and the most experienced and most able man on that Board. Professing, like his associates, not to like the legislation complained of, he set himself to persuade them that the way to avoid it was not by making a parade of rights invaded, but by being discreet and respectful in a marked degree. And by parliamentary devices, in which he was skilful, and by an insinuating pertinacity, he prevailed to have the proposed Address to the King superseded by a petition to Parliament, in which the chief topic urged was that of the ill effects of the legislation objected to on the prosperity of English trade. This style of argument had the unfortunate result which is apt to follow from it. It misled the British Ministers as to the temper of the colony, and emboldened them in proceeding with their violent scheme.

As the time approached for the consummation of the despotic measures which were apprehended,

one of the methods devised for resenting and evading them was that of an agreement among merchants and others to abstain from the importation and purchase of English manufactured goods; and, as part of this plan, the use of mourning apparel was generally discontinued. To help the home manufacture of woollen cloth, another agreement was made to abstain from the eating of lamb's flesh. Intelligence of the actual passing of the Stamp Act reached Boston just before the annual spring meeting of the General Court. The Act was to take effect on the first day of the eighth month from its enactment. The friends of prerogative were confident that the Act would execute itself, and that opposition to it, making the opponent the victim of his own perverseness, would be impotent, and would speedily content itself, and wear itself out, with complaint. And, on the other hand, there appeared as yet no concert in opposition, nor was any method proposed by which opposition might be made availing.

1765. May.

Nov. 1.

The governor, in his speech at the opening of the spring session, referred to the Act no more expressly than by saying that "in an empire extended and diversified as that of Great Britain, there must be a supreme legislature to which all other powers must be subordinate. It is our happiness," he vexatiously added, "that our supreme legislature is the sanctuary of liberty and justice, and that the

May.

prince who presides over it realizes the idea of a patriot King. Surely, then, we should submit our opinions to the determinations of so august a body, and acquiesce, in a perfect confidence that the rights of the members of the British Empire will ever be safe in the hands of the conservators of the liberty of the whole." The House, deviating from its practice on such occasions, made him no reply. A reply in such terms as the existing imperfect degree of concert admitted of might have embarrassed future deliberation and action. The House proceeded with an all-important measure which the prevailing indignation authorized and stimulated. In proceedings to obtain relief from the hard legislation of England, how far might Massachusetts hope for aid from other communities wronged by it like herself? And if their resentments were like her own, might endeavors for redress be rendered more hopeful by a comparison of judgments and a combination of influence and strength? On the motion of James Otis,

June 6. the Court took the judicious step of directing letters to be sent to the other colonial assemblies, inviting them to appoint delegates to meet in the fourth following month "to consult together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the Acts of Parliament for laying duties and taxes on the colonies; and to consider of a general and united,

dutiful, loyal, and humble representation of their condition to his Majesty and the Parliament, and to implore relief." "It was impossible," Bernard wrote to the Lords of Trade, "to oppose this measure to any good purpose, and therefore the friends of government took the lead in it, and have kept it in their hands. Two of the three [the delegates appointed by Massachusetts] are fast friends to government, and prudent and discreet men, such as I am assured will never consent to any undutiful or improper applications to the government of Great Britain. It is the general opinion that nothing will be done in consequence of this intended Congress, but I hope I may promise myself that this province will act no indecent part therein." The court which commissioned these delegates was still in session when news came from Virginia that the great southern colony had passed a series of spirited Resolves affirming the immunity of that colony from taxation by Parliament, — intelligence of the utmost importance in encouraging everywhere the disposition of resistance.

July 8.

May 28.

So imperfectly understood, even in high quarters, and even on the scene of the grievance, was the state of sentiment in New England at this time, that Andrew Oliver, Secretary of Massachusetts, did not hesitate to accept the office of Distributor of Stamps for that province, and by the advice of Dr. Franklin, then in England, the same charge was undertaken for Connecticut by

Jared Ingersoll, recently the colony's agent. The popular rage, which had been rising during the summer, broke out when the appointment of distributors of the stamps became known, and when

Aug. 6. Ingersoll arrived from England in Boston, where he had conferences with Oliver. At dawn, a few days after, an effigy representing

Aug. 14. Oliver, and decorated with devices typical of Lord Bute, was discovered hanging on a tree, afterwards called the *Liberty Tree*, at the corner of Orange Street and Essex Street. Chief Justice Hutchinson ordered the sheriff to go with a sufficient force and take it away. The sheriff proceeded to the spot, but was assured that it would be removed at evening, and was dissuaded from doing his office. The governor convened his Council, who advised him not to interfere, lest he should convert a foolish pleasantry into a serious quarrel. It must be presumed that they guessed nothing of what was intended. The mob were in crazy earnest. At nightfall they took down the image, and, laying it on a bier, carried it, followed by a long procession, through the great lower room of the Town House, beneath the chamber in which the Council were in session. Marching down King (State) Street, they proceeded to a building lately erected by Mr. Oliver, — for the custody of stamps, as was said, — which they presently razed to the ground. Thence they went to his dwelling, where they broke windows, furniture,

and fences, and did other damage. Hutchinson, Oliver's brother-in-law, with some other friends, was at the house, and had been authorized by the governor to call out the militia, if he saw cause. He preferred to use persuasion, but this was done without effect, and it was only by flight through a crowd, which treated him roughly, that he reached his own home. The governor, who was passing some weeks of the summer at the Castle, wrote thence, the next day, to Lord Halifax: "It is said that there were fifty gentlemen actors in this scene, disguised with trousers and jackets on. . . . . The common talk of the town is . . . . . that all the power of Great Britain shall not oblige them to submit to the Stamp Act; that they will die upon the place first. . . . . I cannot command a file of men that can be depended upon." Aug. 15.

Oliver, thoroughly frightened, authorized a friend, in writing, to say that he abdicated the office of Distributor of Stamps, and would send his resignation to England by the first vessel; but this was not thought satisfactory till the declaration had been repeated in the evening to a crowd assembled around a bonfire.

The governor, with the advice of his Council, offered a reward for the detection of the rioters. But this produced no discovery. Some of the Council would have had a military watch for the coming night, but they were overruled, and the security of the town was left to the ordinary

town magistrates. Some of the counsellors expressed their opinion that the Stamp Act could never be executed. When evening came, the crowd which had assembled about the bonfire went on to the lieutenant-governor's, and shouted for him to come out, and purge himself from any share in the concoction of the odious law. He had barred his doors and windows, and kept quiet, till, on an assurance from one of the townsmen that he had been seen in the afternoon going to his country-house at Milton, they broke a few windows and departed. The governor

Aug. 22. wrote again to the Secretary of the Board of Trade: "They publickly declare that the Castle shall not protect the stamps. . . . . Some say it will be stormed by thousands of people. . . . . I consider myself as a prisoner at large, being wholly in the power of the people. . . . . It is given out among the people that, let the force from England be ever so great, it will be sufficiently opposed. . . . . It is my belief that, if there had been one regiment in the barracks of the Castle, this insurrection had never happened. But I don't know that that force would subdue it now."

The popular fury against Hutchinson was not spent. According to his own opinion, the immediate occasions for the next outburst of it were a sermon by Dr. Mayhew on the text, "I would that they were even cut off which trouble you," and the odium excited by his having taken

a deposition of the Judge of the Admiralty, concerning certain transactions of illicit trade. A mob collected in an evening, and made a bonfire in King Street. Thence they moved to the houses of the Registrar of the Admiralty and the Comptroller of the Customs, which they broke into, and made free use of the contents of the cellars. Next they proceeded in a body to Hutchinson's house, which was in a different part of the town, near North Square. He had sent away his family, and was resolved himself to remain; but one of his daughters returned, and prevailed on him to leave the house, just before the mob entered. They burst the doors and windows, and, pouring in, proceeded to the work of utter devastation. By morning, everything in the house — furniture, papers, pictures, plate — was demolished or carried away, and nothing remained but the brick walls, and upon them the work of destruction had already begun when the dawn of day arrested it. Many valuable papers, public and private, collected by Hutchinson for the purposes of his History, were irrecoverably lost. Some were rescued the next day from the mire into which they had been trodden. Magistrates and officers of the militia were among the crowd that looked on, but, as it appears, were disinclined or afraid to interfere. Aug. 26.

The next morning, at a town-meeting in Faneuil Hall, a unanimous vote was passed, condemning these outrageous proceedings, and

calling on the selectmen and justices to take all precautions against a recurrence of the like. The governor came up to town, and summoned a meeting of the Council, by whose advice he offered a large reward for the detection of the rioters. The sheriff seized a person known to have been active among them, but was induced to release him by the remonstrances of some considerable persons among the bystanders, who professed to dread any provocation to further disorder. A few other suspected culprits were committed to gaol, but were rescued by a party, who entered the house of the keeper by night, and obtained his keys by threats of violence. The Supreme Court was to begin a session on the day after the sack of Hutchinson's house. When his robed associates took their seats on the bench, he joined them in the plain dress in which he had awaited the assault the evening before. Instead of charging the grand jury, as usual, he made a speech to the crowd collected in the court-room on the criminality and danger of such transactions as had just occurred; and the session in Boston was adjourned for six weeks. In other parts of the province to which the Court proceeded, the grand juries everywhere took occasion to present addresses condemning the violences committed in the town. The governor wrote home that the popular voice was in favor of the first of them, but that the assault on Hutchinson's house was generally disapproved.

Aug. 31.

As, after Oliver's resignation, there was no authorized custodian of the stamped paper which was now on its way, the governor resolved to receive it himself, and keep it at the Castle; at the same time giving public notice that he had no purpose, as he had no right, to open any of the parcels, but that he felt bound to keep them in safety, lest any accident which might befall them should incur the royal displeasure against the town or province, and make them answerable for an indemnity. What was to be done after the day when, by the terms of the Act, stamps would become necessary to the validity of business transactions and legal documents, was a question earnestly canvassed. Some people were of the opinion that business would have to cease, and the courts to be closed. Others advised to take the risk of continuing all transactions as heretofore, in disregard of the hated law. What was clear was, that, after what had taken place in Massachusetts, no one could at present be so foolhardy as to attempt to distribute the stamped paper, even if in any quarter there should be a disposition to use it.

The intelligence brought from other provinces showed that in them, too, the same state of things existed. The stamps intended for New Hampshire came to Boston, but George Messerve, who had been appointed to distribute them, and who a little before had come from England to Portsmouth, had scarcely landed when he was

Sept. 9.

frightened into a resignation, and Governor Bernard took the unclaimed property into his care.

Oct. 5. "The Stamp Act," wrote Wentworth to Secretary Conway, "has been universally opposed," and the Stamp Distributors "have been compelled by the mob" to engage not to execute their office. The militiamen "principally are the mob, so that experience has shown that it is in vain to beat to arms." "It is impossible for me to point out, or even to conceive, what is necessary to be done to cure the *insania* which runs through the continent." Augustus Johnson, At-

Aug. 24. torney-General of Rhode Island, who had been designated as Stamp Distributor for that colony, made haste to publish his determination not "to execute his office against the will of our sovereign lord, the people." His promptness did not save him from indignity and danger. His effigy, and those of two other persons charged

Aug. 27. with unpatriotic proclivities, after being dragged about on a hurdle at Newport, were hanged and burned. The houses of all three were plundered, and they fled for safety, as did most or all of the revenue officers, to an English man-of-war, which was lying in the harbor.

In Connecticut, Governor Fitch was for submitting to the law, but was terrified into acquiescence. Jonathan Trumbull, then of the Council, afterwards governor, would hear of no concession. Ingersoll persisted for a while in the purpose of executing his office of Distributor. From his

home at New Haven he set out for Hartford, professedly to ask the advice of the colonial Assembly which was in session there. On his way he was met at Wethersfield by a crowd of several hundreds of persons on horseback, who peremptorily, but without other violence, required him to resign his trust. A parley which followed, and which at last was carried on with heat, ended in his signing a form of resignation which had been prepared. He was conducted by the cavalcade to Hartford, where he read his resignation in the hearing of the Assembly. Sept. 19.

Transactions which have been described above were some of the rude symptoms of a fierce popular discontent. It was not by movements of this nature that the English government was to be made to recede from its position. Their tendency rather was to alarm friends of order, to the degree of detaching them from the popular cause. But the cause was too substantial to be ruined by folly on the part of misguided friends. It was taken up by steadier, more skilful, and more vigorous hands.

The General Court of Massachusetts, which met five weeks before the Act was to go into effect, was addressed by the governor with an earnestness corresponding to the solemnity of the situation. He bespoke their condemnation of the late disorders in Boston, and of the current protestations of a purpose to resist Sept. 25.

the authority of Parliament, whose authority, he urged, could not be disputed, though, without doubt, it was liable to be exercised imprudently. He reminded them of the danger of a factious opposition, and especially of the probability that it would obstruct, rather than advance, attempts for the repeal of the obnoxious law. And he advised them to win the King's approval by not waiting for his requisition before they should make good by a liberal grant the losses occasioned by the recent popular outbreaks.

Sept. 28. After three days he prorogued the Court, which had made him no reply. Looking forward to this meeting, he had written to the

Sept. 7. Secretary of the Board of Trade: "Every one tells me I shall not be able to engage them to assist me in carrying the Stamp Act into execution. However, I intend to try, and shall cry aloud, and spare not. If I do not succeed, there is an end of all government on the first of November. . . . . The people at present are actually mad, — no man in Bedlam more so." At this session Samuel Adams first held a seat in the General Court, having been elected as a Representative of the town of Boston, in the place of Oxenbridge Thacher, just deceased.

At the time proposed in the circular letter of the General Court of Massachusetts, del-

Oct. 7. egates from nine Anglo-American colonies came together in New York. Georgia, North Carolina, and Virginia were not represented,

their assemblies having had no meeting since the invitation from Massachusetts was transmitted. But the Speaker of the House of Representatives of Georgia, after consulting most of the members individually, sent a message of approval and encouragement. A committee from New York came without the regular credentials for the same reason, but had no difficulty in being admitted to the deliberations. The Assembly of New Jersey had been persuaded by the governor, Franklin's natural son, who was devoted to the court, to send a refusal to the summons from Massachusetts; but, encouraged or coerced by a popular outcry, the Speaker called the members of the House together, and they elected delegates. New Hampshire, influenced by Governor Wentworth, held herself aloof from the measure.

The Congress was thus composed of twenty-seven members, of which number New York sent four, Rhode Island and Delaware two each, and each of six other colonies three delegates. The Congress organized itself by adopting the rule that each colony, large or small, should have one vote, and by choosing Timothy Ruggles of Massachusetts to be its President. The session lasted eighteen days, and resulted in the preparation and publication of three papers, to which all the delegates who considered themselves as having formal authority affixed their signatures, except Ruggles of Massachusetts and Ogden of New Jersey, who

excused themselves on the ground that the first use made of the papers should be to submit them to the several colonial assemblies for their judgment. The delegates from Connecticut and South Carolina considered themselves to be present under a similarly restricted commission; and the delegates from New York properly said that it became them to forbear, as not strictly representing any constituency. The associates of Ruggles in the Massachusetts delegation were James Otis and Oliver Partridge. It indicates the desire in Massachusetts to devise some means of amicable settlement, or to practise such deference towards the disaffected and the lukewarm as might ultimately engage their co-operation, that Ruggles and Partridge were sent on this errand; for even as early as this time neither of them had any earnest sympathy with the popular sentiment, and in the progress of the patriotic movement both early fell away from it. On his return to Massachusetts, Ruggles was called before the House, and agreeably to its vote, received a reprimand from the Speaker for his conduct at the Congress.

The manifestoes (so to call them) which were the fruit of the discussions of this Congress, and which to some extent determined the principles and tenor of later action, were a "Declaration of the Rights and Grievances of the Colonists in America"; an Address to the King; a Memorial to the House of Lords; and a Petition to the

House of Commons. The tone of all of them was loyal. The "Declaration," in the form of fourteen Resolves, affirmed that it was "inseparably essential to the freedom of a people and the undoubted right of Englishmen, that no taxes be imposed upon them but with their own consent given personally, or by their representatives"; that "the inherent and invaluable right of every British subject in these colonies" to trial by jury was invaded by the recent Acts of Parliament, "extending the jurisdiction of the courts of Admiralty beyond its ancient limits"; and that the custom duties lately imposed were "extremely burdensome and grievous, and, from the scarcity of specie, the payment of them absolutely impracticable," while it would make the colonists "unable to purchase the manufactures of Great Britain." In the most respectful strain, and with abundant professions of loyal devotion, the Address to the King presented the same topics, and besought his protection for "those two essential principles, the right of your faithful subjects freely to grant to your Majesty such aids as are required for the support of your government over them and other public exigencies, and trial by their peers. By the one they are secured from unreasonable impositions, and by the other from arbitrary decisions of the executive power." The Memorial to the Lords, admitting for the King's colonial subjects "a due subordination to that august body, the British Parliament," asserted a title "to

all the inherent rights and liberties of the natives of Great Britain"; represented the Stamp Act and the late extension of Admiralty jurisdiction as encroachments on those rights and liberties; and entreated the Lords to "pursue measures . . . . . for redressing their present, and preventing future grievances, thereby promoting the united interest of Great Britain and America." The Petition to the Commons, while it also protested against the late Acts as unconstitutional and usurping, enlarged chiefly on the argument that "the execution of them would be attended with consequences very injurious to the commercial interest of Great Britain and her colonies, and must terminate in the eventual ruin of the latter." Both Houses of Parliament were solicited to hear counsel in support of the applications thus made to them.

Perhaps in this Congress the prudence of New England was distrusted, for her delegates were not put forward, except in the selection of the prerogative-loving Ruggles to preside. In the Committee on the Address to the King, Johnson of Connecticut, and James Otis in the Committee on the Petition to the House of Commons, held respectively the second place. No colony of New England was represented in the Committee on the Memorial to the House of Lords. Nothing could be more dispassionate or inoffensive than the language of these papers. But they affirmed with great explicitness and solemnity, as the re-

sult of conference and deliberation, the doctrine that Englishmen in Parliament had no right nor competency to tax Englishmen in America. That prolific doctrine flourished, and thenceforward its fruits ripened fast.

No notice was taken of the Address to the King, though it was laid before him by Secretary Conway. The question of receiving the Petition to the House of Commons was debated in that body, William and Edmund Burke favoring its reception, but without success. 1766. Jan. 27. The uses served by the First General Congress of the Anglo-American colonies were these: The uniting principle of the immunity of all those colonies alike from British taxation was recognized and promulgated. Leading men among them formed an acquaintance with each other, the basis of a mutual respect and confidence extending to their several constituencies. The possibility of joint counsels had been ascertained, and a machinery for them had been tried with success. An encouraging preparation had been made for such joint action as the menacing future might prove to require.

CHAPTER XIX.

LAST TEN YEARS OF COLONIAL DEPENDENCE.

By the Congress at New York it had been ascertained that, in the judgment more or less formally pronounced of thirteen colonies, taxation of them by the British Parliament was an intolerable usurpation, and that united and organized resistance to it was possible. With the establishment of these two facts, enclosing as they did the pregnant germ of a comprehensive national system, the politics of the New England colonies lost much of their separate identity. Though continuing to act with and upon each other, those communities had henceforward not much more connection together than with the rest of English North America, so that their later history becomes part of the history of the Revolution in the United Colonies, and of the independent United States. But a cursory outline of later events in New England, as they proceeded from the protest against the Stamp Act to the armed rising against the parent country, may seem a fit conclusion of this work.

Just at the time of the passing of the Stamp

Act, the King had a monitory, though not severe attack of that disease which at three subsequent periods incapacitated him for the royal functions. On his recovery, it was thought prudent to take measures for a regency, to exercise the powers of the crown in case of a recurrence of the same occasion, or of the sovereign's death while the heir apparent was a child. It was determined that, at the pleasure of the King, a regency should be named including "the Queen or any other person of the royal family usually residing in Great Britain." Under this description, the King thought that his mother, the Princess Dowager of Wales, was eligible. Mr. Grenville and his colleagues judged that the Princess, not being in the order of succession to the throne, could not be esteemed one of the royal family. The King felt hurt, his mother was enraged, and her intriguing friends saw their advantage. The Prime Minister, who had no personal popularity, was outvoted in the House of Commons. The King was impatient to be rid of him. He tried to make terms with Pitt for the formation of a government. But Pitt had too much sense of past ill-treatment, and too fixed a determination to rule in reality if he accepted office, to be won except upon absolute conditions. The result was that a Ministry was formed, with the young Marquess of Rockingham at its head, the representative of a great Whig connection, a man without shining qualities, but of in- 1765. July 13.

tegrity, of good intentions, and of experience, for his years, in public business.

Lord Rockingham had no pride to gratify by adherence to the colonial policy of his predecessor, and, if he did not see the injustice, he clearly perceived the extreme inconvenience, of persistence in it. He met Parliament with statements of the action of the Congress at New York, and of the utter failure of the Stamp Act in America. He and General Conway, now a Secretary, had both opposed the Act, but, on the other hand, in their new position, they were responsible for the dignity of the realm. Mr. Grenville, from his seat in the House, flamed with indignation against the philo-American agitators. Pitt came from his sick-chamber into the House of Commons. "As to the late Ministry" [the Ministry of Grenville, his wife's brother], he said, "every capital measure they have taken has been entirely wrong." "This Kingdom has no right to lay a tax upon the colonies." Grenville delivered an elaborate defence of the Stamp Act. Pitt fell upon him fiercely. "The gentleman tells us that America is obstinate; America is almost in open rebellion. Sir, I rejoice that America has resisted. Three millions of people, so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of all the rest." He advised "that the Stamp Act be repealed absolutely, totally, and immedi-

Dec. 17.
Dec. 19.
1766.
Jan. 14.

ately: . . . . . at the same time let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and made to extend to every kind of legislation whatsoever." The power of taxing he had carefully distinguished from that of legislating. "Taxation is no part of the governing or legislating power."

Franklin, who had but just come to London as agent for Pennsylvania, was examined by the House of Commons respecting the effects produced by the Stamp Act on his countrymen, and their sentiments and purposes concerning it. Lord Rockingham might perhaps have consented to Pitt's distinction between legislation and taxation, but Murray (afterwards Lord Mansfield), then Attorney-General, would not admit it, and the majority in Parliament could not be brought up to that point. What was called a Declaratory Act was passed, affirming the authority of Parliament over the colonies in all cases whatsoever. This done, the repeal of the Stamp Act, moved by Mr. Conway, still encountered a determined opposition. After a sharp debate between Grenville on one side and Pitt and Conway on the other, the repeal was carried through the House of Commons by two hundred and seventy-five votes against one hundred and sixty-seven. The Lords, in the sequel of a hot discussion, gave it a majority of thirty-four.

Feb. 3–13.

March 7.

March 18.

Meanwhile the obnoxious Act had utterly failed of execution. As no stamps were on sale in New England, it was unavoidable for business to come to a stop, or to go on without the use of them. Custom-house officers consented to give unstamped clearances to vessels whose owners were willing to take the risk of their seizure at sea. The courts of Massachusetts met at their appointed times, and continued all actions to their next terms. Six weeks after the day when the Act should have gone into effect, the town of

1765. Dec. 16. Boston sent a petition to the governor in Council, praying that such directions might be given to the courts as that there should be no further delay of justice. Gridley, Otis, and John Adams appeared as counsel for the town. The Council decided "that the subject-matter of this memorial is not proper for the determination of this Board," and remitted it to the decision

Dec. 26. of the judicial courts. Several courts of Probate and of the Common Pleas yielded to the emergency of the case and the clamor of the people, and forbore to enforce on litigants the use of stamped paper. The Supreme Court, under Hutchinson's arrogant influence, still held

1766. Jan. 19. out. When the Legislature met, the House passed a Resolve, "that the shutting up of the courts of justice . . . . . has a manifest tendency to dissolve the bands of civil society," and that all officers of government "ought to proceed in the discharge of their

several functions as usual." But the Council had scruples as to going out of its province, and, a speedy repeal of the Act being now confidently anticipated, the Supreme Court, by a continuance of suits before it, kept the question as to its final action in suspense. In the other provinces of New England, the Parliamentary imposition was equally disregarded by the general consent, and, after a slight delay in some quarters, with the acquiescence of public officers.

The relief and delight occasioned in America by the intelligence of the repeal of the Stamp Act were increased by further action of the home government in relaxing the revenue regulations which had caused offence. The Declaratory Act gave not much concern. It was regarded but as brute thunder, in the sound of which the government desired to retreat with decency from its awkward position, and not as a significant menace of any further wrong.

Lord Rockingham's Ministry was embarrassed, and at length demoralized and decomposed. After no little negotiation, Pitt (made Earl of Chatham) consented to form a Ministry, in which, however, the Duke of Grafton took the post of first Lord of the Treasury, usually held by the head of the Cabinet. Pitt's health, both of body and mind, was now impaired, and before long became miserably broken. Except in the first few months, his public service at this time, extending through more than two years, was

July.

but nominal, except as it was an occasion of constant embarrassment and annoyance to his associates in office. It was at a time of his im-

1767. June 2. becile seclusion from affairs, that his mercurial Chancellor of the Exchequer, Charles Townshend, — the same statesman who had before patronized the Stamp Act so effectively, — embraced the occasion to set America again in a flame. He carried through an Act

June 29. of Parliament imposing duties on paper, glass, painters' colors, and tea imported into the colonies. The hope was that the distinction, generally admitted hitherto, between internal taxation and regulations of commerce, would protect this measure against the resistance which had assailed the Stamp Act. But, as if on purpose to relinquish for the Ministry the benefit of this distinction, and relieve the colonial statesmen from the effects of their imprudence in formerly making it prominent, the preamble of the Act asserted its purpose to be "the support of civil government," and the more effectual administration of the colonies; and by a special clause the crown was authorized to establish salaries, pensions, and other allowances in its North American possessions, while, by another, provision was made that money collected in the provincial custom-houses, and not required by the provincial civil list, should be subject to the disposal of the home government. The new duties were to become payable in the fifth month after the passing of the Act;

and just before that time, three commissioners, constituted under another Act with powers supposed to be adequate to secure the collection of the duties, arrived in Boston.

The ill-humor which these measures revived in Massachusetts had found expression just before under a slighter provocation. Mr. Grenville's government had obtained a law requiring the colonial assemblies to furnish quarters, with fuel and candles, for the King's troops serving among them. An artillery company, coming from New York to Boston, was quartered in the Castle, and there provided for by the governor's order. At its next session, the House inquired of the governor by what authority this had been done. He justified himself by referring to the Act of Parliament, which he interpreted as requiring the action which he had taken. They replied that that Act gave him no authority whatever; that what it purported to do was to impose an obligation on the General Court; that the Court had appropriated none of the province's money to that use; and that therefore there was none for his warrant lawfully to act upon. There were more serious matters in hand, and this quarrel was not pursued.

1765.

1767.

The House of Representatives of Massachusetts despatched a petition to the King, arguing the right of their constituents on general principles of equity, by their English citizenship, and by the terms of their charter, to

1768. Jan. 20.

be taxed "only by representatives of their own free election," and protesting against the course of Parliament in exacting duties from the King's American subjects, "with the sole and express purpose of raising a revenue." They adopted another measure which probably, under the encouragement of their former example, may have seemed to them more promising of practical effect. They addressed a Circular Letter

Feb. 11. to the other provincial assemblies, inviting their concurrence in measures of relief from the late obnoxious legislation of Parliament. Perhaps it was in consequence of the judicious advice of Governor Pownall, in his treatise on the "Administration of the Colonies," that a colonial department was just now instituted. The Earl

Feb. 27. of Hillsborough was the first Colonial Secretary. One of his earliest acts was to instruct Governor Bernard to rebuke his legislature for

April 22. their Circular Letter, and to require them "to rescind the resolution which gave birth to it, and to declare their disapprobation of and dissent

June 21. to that rash and hasty proceeding." At the first opportunity the governor delivered the message; and added that, unless the demand was complied with, he was instructed to dissolve the Court. The House replied to the effect that the repeal demanded would in any case be insignificant and impotent, for the act prescribed by the Resolve had been done; but that it was impossible for them to pass a vote interfering with "the na-

tive, inherent, and indefeasible right of the subject, jointly or severally, to petition the King for the redress of grievances"; that they "had but a vain semblance of liberty left, if the votes of the House were to be controlled by the discretion of a Minister"; and that, finally, they had "voted not to rescind, and that on a division on the question there were ninety-two nays and seventeen yeas," — numbers which afterwards were much repeated. The Court was dissolved the next day, but not till the House had adopted a petition to the King, praying for Bernard's removal from the government.

But the law was in operation, and, without compliance with it, the merchants could not get their goods, of the enumerated descriptions, through the custom-house. The case required different treatment. Many of the traders, first of Boston, then of other ports, agreed together in writing, that, in the year soon to begin, they August. would import no merchandise from England except certain specified articles of urgent necessity; and particularly that they would receive, neither from any other colony nor from Great Britain, any of the commodities made liable to duties under the recent law.

This movement had perhaps been facilitated by a transaction which at once indicated and aggravated the irritation on both sides. A vessel laden with wine for John Hancock came into Boston Harbor, and a revenue officer went on board. The

master expected to proceed as he may have often done before, and to have his freight landed on the wharf, while the representative of the King's claim was entertained in the cabin. The commissioners had determined to put a stop to such irregularities; their officer had other orders, accordingly; but he was prevented from carrying them out by being confined till more or less of the cargo was put on shore. The commissioners complained next day that the entry made at the custom-house was false, as not representing all the property; and at their desire the vessel was anchored under the guns of a man-of-war. A mob assaulted some of the revenue officers, broke the windows of the houses of three of
June 10. them, and, seizing the collector's boat, dragged it in a procession through the streets, and made a bonfire of it on the Common. The commissioners, professing to be alarmed for their lives, went first on board the ship of war, and then to the Castle.

Such was the way of proceeding of one class of the ill-treated and angry people. A different way, at once less exceptionable and more effectual, was taken by another class. On the circulation of a report that regular troops were coming from Halifax to Boston, a town meeting was held, which sent a message to the governor, in-
Sept. 12. quiring what information he had upon that subject, and praying him to convoke the General Court, in order to such measures as the critical

times required. He replied that he had no official information on the former subject, and that his instructions forbade him to convene the Legislature. Thereupon the town passed a series of Resolves, among which was one against "keeping a standing army in the town without the consent of the inhabitants in person or by their representatives"; and voted to invite all the towns of the province to a convention to be constituted in the same manner as the House was constituted under the governor's writ. It was further voted to invite the ministers of the town to set apart a day for fasting and prayer; and, in a half-facetious mood, in language not expected to deceive any one, the inhabitants were advised to provide themselves with fire-arms, on account of "a prevailing apprehension in the minds of many of an approaching war with France."

Representatives from ninety-six towns and eight districts came to the convention thus summoned. The members organized themselves like the House, and chose the Speaker for their presiding officer. The tone of their proceedings was inoffensive. They sent to the governor a petition for a General Court, which he refused to receive, as coming from an unlawful Assembly. And, on separating, they published a manifesto, expressing loyal sentiments, setting forth with moderation the existing grievances, and advising the people to repress passionate resentments, and avoid disorders. The chief use

Sept. 22.

of the convention seems to have been to show how easy it was to make a great political combination, capable of acting with something of the power of a General Court constitutionally assembled.

The deliberations of the convention lasted a week. The day before its dissolution, a
Sept. 28. fleet of transports arrived at Nantasket with nine hundred troops from Halifax, sent in consequence of what the Ministry had learned of the position of the Commissioners of the Customs. The fleet came up to the town,
Oct. 1. and seven hundred men, with a parade of strength, with fire-locks charged and fixed bayonets, were marched to Boston Common. The governor called on the selectmen to provide quarters for them, but his message received no attention. The next day, by his permission,
Oct. 2. they took possession of the lower floor of the Town House, flanked by two cannon pointed down King Street. The day was Sunday, and the pomp and circumstance, and the loud martial music, excited the defied church-goers of both sexes and all ages to twofold rage. Thenceforward the Counsellors had to pass through the soldiers in going to their session. The governor called on the Council to provide barracks according to the late Act of Parliament, which they declined to do. The next month detachments of two regiments
Nov. 10. arrived in Boston from Ireland.

Parliament passed Resolves, condemning the recent proceedings in Massachusetts, especially the Convention of Representatives of the towns, and the two Houses united in an Address to the King, advising vigorous measures for the vindication of his authority. It was essential, by the charter of Massachusetts, that the General Court should come together in the spring for the choice of the members of one branch. As to that, the governor had no discretion. The House seized the opportunity to represent to him "that an armament by sea and land investing this metropolis, and a military guard with cannon pointed at the door of the State House where the Assembly is held, are inconsistent with that dignity and freedom with which they have a right to deliberate, consult, and determine"; and to acquaint him with their expectation that he would "give effectual orders for the removal of the above-mentioned forces by sea and land out of this port and the gates of this city, during the session of the said Assembly." He replied that he had no authority over the King's ships or troops, and he turned the tables upon them by adjourning them to Cambridge. To his repetition of a demand for supplies for the troops, the House replied: "As we cannot consistently with our own honor or interest, much less with the duty we owe to our constituents, so we never shall make any provision of funds for the purposes of your several

1769. Feb. 9.

May.

July 6–12.

messages." He prorogued them immediately, and never met them again. He had for a long time been impatient of his position, and had solicited to be recalled. Having at last obtained his wish,

Aug. 1. he sailed for England, leaving lieutenant-governor Hutchinson at the head of the government. There were noisy demonstrations of joy in Boston at the governor's departure.

By the prorogation, the General Court would

1770. have come together in the second week

Jan. 10. of the next year in Boston. As that time approached, Hutchinson, under instructions from

March 15. England, prorogued it for two months longer, then to meet at Cambridge. Just before the meeting a serious affair occurred. There had been mutual affronts and quarrels all along between the citizens of Boston and the

March 3. troops. On one occasion, a private soldier was wounded in such an affray. The commanding officer of the regiment complained

March 5. to the lieutenant-governor; the lieutenant-governor consulted the Council; and the Counsellors generally expressed their opinion that such troubles could only be avoided by a removal of the troops. On the evening of this consultation, the broil assumed different dimensions. A soldier who had been roughly treated ran to his comrades in King Street for protection, and the guard was turned out. Assailed with snow-balls and bits of ice, the guard was at length provoked

to fire upon the crowd. The discharge killed three men and wounded two others mortally, while others received slight hurts. The lieutenant-governor came to the Council chamber, and caused the soldiers of the guard, with the captain of their company, John Preston, to be committed to prison. Samuel Adams and others presented themselves as a committee of the town, to insist that, for the avoiding of further bloodshed, the troops should be removed to the Castle, which was accordingly done with the reluctant consent of the commanding officer, Colonel Dalrymple. It speaks well for the province and its leaders that the perpetrators of this *Boston Massacre*, as it was called, had a fair trial, and the best professional defence; — the latter being conducted by John Adams and Josiah Quincy, junior, both among the most active patriots of the day. At the trial, which took place in the autumn, two men were convicted of manslaughter. Six others, with the captain, were acquitted. October.

The lieutenant-governor made no allusion to this disastrous affair when he met the General Court. The House found an opportunity to refer to it, when he soon after called their attention to some rude treatment of a servant of the custom-house, in the fishing town of Gloucester; and they denounced a standing army in the province as "an unlawful assembly, of all others the most dangerous and alarming." Both March 15.

branches revived the old argument against the governor's right to appoint their session in any other place than Boston. But their complaint produced no effect.

Jan. 28. The Duke of Grafton had withdrawn from office, and been succeeded by Lord North, as first Minister of the crown. Influenced, it seems, by the London merchants, who had suffered from the non-importation agreements in America, Lord North, on the very day which witnessed the collision of the soldiers and the populace in Boston, brought into Parliament a bill for a repeal of all the duties laid three years before, except the duty upon tea. This, he said, "was continued for maintaining the Parliamentary right of taxation." And, to render it acceptable in America, he subsequently made an arrangement for relieving the commodity of a duty of a shilling a pound hitherto payable on its exportation from England, so that, the importation tax upon it being reduced to threepence a pound, the colonists would receive it, not at an enhanced price, but at a price ninepence lower for the pound than it had cost before. Lord North most erroneously supposed that, in the stage to which their politics had now advanced, or that at any time, the colonies were to be satisfied by the mere alleviation of a pecuniary burden.

March 5.

Governor Pownall, perhaps better informed than any other member of Parliament respecting the tenor of thought in America, protested

against Lord North's exception of the tea duty. The bill, however, became a law. April 12. For the present it was resisted in America only by an agreement, which there was an effort to make general, to use no tea. If no tea was bought, the Act would be defeated, because merchants would not pass through the custom-house a commodity which they knew to be unsalable; and thus the East India Company would ultimately be coerced into soliciting the repeal of a law which prevented their doing business with the colonies.

Bernard continued to hold the commission of governor of Massachusetts for a year and a half after his departure. At the end of that time it was transferred to Hutchinson, 1771. February. Andrew Oliver, lately Secretary, being made lieutenant-governor in Hutchinson's place. The new governor was at the same time informed that he was to receive a salary from the King. At the first meeting of the General Court April 3 after his accession, they made him the customary grant, and on his declining to receive it the House sent a message to inquire, "Whether any provision had been made for his support as governor of the province, independent of his Majesty's Commons in it." He replied that a recent Act of Parliament had empowered the King to provide for the support of his colonial governments; and when he should have received his instructions, he would make such communications as the public service might require. The ques-

June 19. tion was not pressed during this year further than by a declaration that, "by the charter, the governor, with other civil officers, is to be supported by the free gift of the General Assembly." Perhaps the Court thought it prudent to have some more experience of the new ruler whom the King had chosen from among themselves, before they proceeded to make a sharp issue with him.

Before the question was again agitated, the attention of the Ministry was drawn to an offensive transaction in Rhode Island. A revenue cutter, the Gaspee, had been active in Narragansett Bay,

1772. and had affronted the masters of the coast-
June 10. ing vessels by requiring them to dip their flags in token of respect to the royal ensign which she bore. A vessel of light draft, which she chased, ran close in to the shore. The trick succeeded, and the Gaspee went aground about the time of high tide. The water receded, and, night coming on while she lay helpless, an armed party from Providence boarded her, sent her company on shore, and burned her down to the water's edge. Her lieutenant in command was wounded, but no other mischief was done to life or limb. A reward of five hundred pounds was offered for the detection of the persons concerned in the adventure, and subsequently a commission of inquiry was constituted by the home government, consisting of the Governor of Rhode Island, the Admiralty Judge at Boston, and the Chief Justices of

Massachusetts, New York, and New Jersey. But no discovery was made, though in Providence the names of the perpetrators were scarcely a secret.

The General Court of Massachusetts renewed their complaint against the alleged abuse of their governor's receiving his salary from England, affirming that their charter was a contract between the province and the crown; that in it the province had covenanted, among other things, to make adequate provision for the support of the King's governor, which agreement they had punctually and liberally fulfilled; and that "the governor's having and receiving his support, independent of the grants and acts of the General Assembly, was a dangerous innovation, rendering him a governor not dependent on the people, as the charter prescribed, and consequently not, in that respect, such a governor as the people consented to at the granting thereof. . . . . And the House did most solemnly protest that the innovation was an important change of the Constitution, and exposed the province to a despotic administration of government." July.

The governor replied with a copious argument, which was as fruitless for conviction as he doubtless expected. The question took strong hold of the popular mind. News came to Boston that the provincial judges also were to be paid by royal grants, from funds in the hands of the commissioners of the customs. The citizens in town-meeting sent to the gov- July 14.

ernor an inquiry into the truth of this report. He declined to satisfy them, and they prayed him not to postpone the meeting of the General Court beyond the early day to which it stood prorogued. He told them that he had already determined on a postponement, and should persist in that purpose, the rather because his receding from it might encourage other towns in interfering with the governor's prerogative of fixing the times for legislation, — an interference foreign from the legitimate business of town-meetings.

Nov. 2. Thereupon the town raised a committee consisting of twenty-one of the most eminent citizens, with James Otis and Samuel Adams at the head of the list, "to state the rights of the colonists, and of this province in particular, as men and Christians and as subjects; and to communicate and publish the same to the several towns and to the world, as the sense of this town, with the infringements and violations thereof, that have been or from time to time may be made."

Nov. 19. A subsequent vote directed that the statement, which was two or three weeks in preparing, should be sent to the several towns of the province, accompanied by a circular letter from the committee, now called the "Committee of Correspondence." "Let us consider, brethren," — with such exhortation did it address them, — "we are struggling for our best birthrights and inheritance, which being infringed renders all our blessings precarious in their enjoy-

ment, and consequently trifling in their value. Let us disappoint the men who are raising themselves on the ruin of this country. Let us convince every invader of our freedom that we will be as free as the constitution our fathers recognized will justify."

A new excitement was produced by the discovery of certain letters, in which Hutchinson, Andrew Oliver, Paxton (a Revenue Commissioner), Auchmuty (the Attorney-General), and two or three other persons had expressed to their friends in England sentiments unfriendly to the colonial cause. The original letters, coming, by means which to this day are unknown, into the hands of Dr. Franklin, then in London, were sent by him to the Speaker of the House of Representatives of Massachusetts, with injunctions to return them when they should have been shown confidentially to a few leading persons, and to permit no copies to be taken. In the course of several months after their reception, a vague rumor of it got abroad. At the following spring session of the General Court, Mr. Samuel Adams moved for a secret session of the Representatives, and informed them that in view of the general uneasiness which had been created by the report, he had obtained the consent of the person who had the letters in charge to have them read to the House, but not to be printed or copied. The House, having heard them read, voted that they "tended, and were

December.

1773. June 2.

designed, to overthrow the constitution of the government, and to introduce arbitrary power into the province." The vote was published, and made a strong impression, and the anxiety for more precise information was great, till Mr. Adams informed the House that he was authorized to take off the restriction under which the letters had been communicated. The House ordered them to be published, along with a further Resolve declaring that the Representatives were "bound, in duty to the King and to their constituents, to remonstrate to his Majesty against the governor and the lieutenant-governor, and to pray that he would be pleased to remove them forever from the government of the province." An Address accordingly was sent to Dr. Franklin, to be presented to the King in Council. Before the prorogation the House pronounced itself upon another question. They voted it to be their opinion that, if the judges of the Superior Court, holding their places during pleasure, should consent to receive salaries from the crown, they would show "that they had not a due sense of the importance of an impartial administration of justice; that they were enemies to the Constitution, and had it in their hearts to promote the establishment of an arbitrary government in the province."

Though circumstances had placed Massachusetts in the van of resistance to the usurpations of the British Ministry, the spirit of determina-

tion in her sister colonies of New England was the same as her own. Governor Fitch, of Connecticut, had hitherto been much esteemed and trusted, but, consenting to take the required oath to maintain the Stamp Act, he incurred the displeasure of his fellow-citizens, and, with all the Counsellors who sympathized with him, was displaced on the first opportunity of a popular vote. In that colony and in Rhode Island business went on without interruption from the prohibitions of that Act, judicial and other officers being instructed beforehand by the legislatures to proceed without regard to it. In New Hampshire, Governor Wentworth, though friendly to prerogative principles, took no steps to enforce it, and his embarrassment was relieved by the circumstance that by some accident no formal communication had been made to him from England on the subject.

1766. May. Sept.

The prospect of a pacific issue to the controversy with the parent country had been darkening rapidly. In America there was no approach to acquiescence in that pretension of a right to tax the colonies which Parliament appeared resolved to maintain. One more step in advance brought the predestined collision. The great diminution which had taken place in the use of tea in the colonies having discouraged the merchants from importing it, and caused large quantities of it to be accumulated in England, the East India Com-

pany determined to export it on their own account, and thus to avail themselves of a permission which Parliament had given, connecting with it an arrangement for selling the tea to advantage at a reduced price. In the view of the American patriots, here was presented a final turning-point in the controversy. If by this plausible proceeding, and to this very small amount, the English Exchequer should succeed in establishing a colonial tax, the principle of absolute exemption for which the colonies had been contending would be sacrificed. If this attempt, made with extraordinary advantages, were defeated, there would be good hope of its being definitively abandoned. Agreements were made at different seaports to prevent the landing of the tea, — a more practicable thing than to prevent its being bought after it should be on shore. At Charleston (South Carolina) the people unloaded the vessels, and stored the cargoes under a guard of their own. At New York and Philadelphia the masters of the ships yielded to the popular outcry, and carried their freights back. Elsewhere there was no royal representative to be dealt with so resolute as Governor Hutchinson. In New England no tea arrived in ports of either Rhode Island or Connecticut. Two cargoes came tardily to New Hampshire, but Governor John Wentworth, who had now succeeded his uncle in that office, was a moderate and prudent man, and had no mind to have repeated at

1767. June.

Portsmouth a scene that had been enacted elsewhere; and, with his consent or connivance, the consignees, yielding to the demand of the people, paid the duties, and reshipped the cargoes to Halifax. 1774. June.

Three tea ships came to Boston. The master of the first which arrived was persuaded to consent to take his freight back to England. But the Collector held that he could give no clearance till the imported cargo was landed, and the legal duties paid. The master then applied to the governor for a pass to prevent his being stopped at the Castle. But the governor said that no such pass could be legally given till a clearance had been obtained at the custom-house. While the master was on this errand to the governor's country-house at Milton, the inhabitants of Boston were assembled in town-meeting at the Old South Church. When the answer was brought back, which was not till after dark, a shout was heard without, and a body of some fifty men, roughly dressed as Indians, passed down Milk Street, to the wharf where the tea-ships lay. The meeting at the church was immediately dissolved, and a portion of the assembly, following, stood by as a guard against interruption, while the disguised party did their work. They passed up from the holds of the vessels some three hundred and fifty chests of tea, broke them open with hatchets, and poured their contents into the dock. The 1773. Nov. 28. Dec. 14.

next morning all was quiet. The doers of the bold act remained unknown. The governor went to the Castle for a night. He thought of issuing a proclamation, but concluded that it would only be ridiculed. He could get no encouragement from his Council to take any measure.

Parliament was in session when the news of this transaction reached England. It was clear that a definite crisis had arrived. Eight years had passed since, with great deliberation and unanimity, Englishmen in America had resolved that they were not subject to taxation by the British government, and now, in assertion of that freedom, there had been a violent destruction of a considerable amount of British property. It was unavoidable that either the government must yield or the aggressors be punished and disabled.

1774. March 7. The King sent down a message, denouncing the outbreak in Boston as not only an interference with British commerce, but an outrage on the British Constitution. Without delay, a measure of exemplary vengeance

March 31. was adopted. By the "Boston Port Bill," so called, which was to take effect almost as soon as tidings of it could reach America, the commerce of that town, which made the living of its people, was to be annihilated. No vessel was to be allowed to take in or discharge a cargo there, or, unless laden with food or fuel, to remain in the harbor six hours. Not the town only, but the province, was thought to require

punishment and restraint, and another Act was passed to take away some of the privileges vested by the charter. It provided that henceforward Counsellors should be appointed by the crown, and that towns should hold no meetings, except for a few specified purposes, and except such as should be allowed by the governor in writing. By a third Act, understood to be for the protection of British troops serving under the governor's orders in Massachusetts, persons indicted there for murder committed in the defence of magistrates might be sent for trial to Great Britain, or to another colony. And a fourth law, changing the government of Quebec, was interpreted as being a menace to the disaffected provinces. May 6.

Hutchinson wished to withdraw from his government, at least for a time, and go to England. Two or three weeks before he sailed, General Thomas Gage came to Boston with a commission to succeed him. Gage had been for eleven years commander-in-chief of the King's forces in North America, and, in the existing circumstances, it was thought to be for the King's service that the head-quarters of the army should be in Boston. June 1. May 13.

On the day of Hutchinson's melancholy departure the Port Bill went into effect, twenty days after the first intelligence of it was received. The occasion was observed in other parts of the country with demonstrations June 1.

of public mourning. Business in Boston came to a stand-still. Mechanics and laborers had no employment. Men of property received no rents; poor men could earn no wages.

The Ministry had flattered themselves that the commerce of the country would be carried on by rival ports, profited as these would be by the desertion of the chief town. On the contrary, at the rival ports people were thinking of nothing but how the sufferings of Boston, incurred in the common cause, could best be relieved. Salem and Marblehead, the two next most important marts of the province, offered to the Boston merchants the gratuitous use of their wharves and warehouses, and their own services in discharging and unloading their vessels. From all parts of New England came letters of encouragement and liberal supplies of food. Even the Southern provinces, Virginia in particular, took a zealous part in these contributions. Four British regiments were now in Boston. There was another at Salem, fifteen miles off, and reinforcements were under marching orders from Quebec and the middle colonies.

The new General Court, meeting agreeably to the charter in the spring, was, after a few days' session, transferred by the governor to Salem. Of the twenty-six Counsellors whom it chose, no fewer than thirteen were disallowed by the governor, and no step was taken to fill the vacancies thus created. A list of thirty-six Counsellors nom-

inated in England agreeably to the provisions of the new Act, and hence known as *Mandamus* Counsellors, was sent to the governor. Only two thirds of the number, however, at first accepted the office, and as to them, the course of events which immediately followed caused the acceptance to be merely nominal.

The House having resolved to invite a Congress of all the colonies, appointed five delegates on their own part, and informed the other colonies of their action. On this the Court was immediately dissolved. The Congress met at Philadelphia, comprising delegates from all the continental colonies (Georgia alone excepted), that composed the British Empire in North America before the conquest of New France. They chose Peyton Randolph, of Virginia, to be President, and determined that in all their action, as in that of the similar Congress nine years before, each province and colony, large or small, should have one vote. They agreed on a Declaration of Rights, an Address to the King, a representation to be made to the people of the colonies, and an Address to the people of Great Britain. After a session of eight weeks the Congress was dissolved, having first given its advice that another Congress should be held in the next spring. Its doings were approved by the legislatures of all the colonies represented in it, except New York, whose politics were always fluctuating.

June 7.

Oct. 1.

Oct. 11.

General Gage, meanwhile, had been making arrangements with a view to what might be in the near future. He stationed a force at a small work which he had built on the *Neck*, the isthmus which connected the peninsula of Boston with the mainland. In the arsenal of
Sept. 1. Charlestown were two or three hundred barrels of powder belonging to the province. He sent two companies in boats by night, who carried off the powder, and lodged it in the Castle. At Cambridge, in like manner, he made prize of two small pieces of cannon. He had sent out precepts for a new General Court, but altered his mind, and prorogued it before the day arrived. But it was alleged that there was some informality in the prorogation, and the members
Oct. 5. came together in disregard of it. The governor not appearing, as it could not have been expected that he would, the Representatives resolved themselves into what they called
Oct. 11. a Provincial Congress, adjourned to Concord, further inland, and chose John Hancock to be their President. The governor sent
Oct. 17. to warn them against persisting in their illegal proceedings, but they had already adjourned to Cambridge, where, having received
Oct. 20. the report of their delegates to the General Congress, they raised a Committee to
Oct. 27. propose a plan for the defence of the province, a Committee of Safety, and a Committee of Supplies; made arrangements to em-

body a force of minute-men, consisting of one quarter part of the militia of the colony; and chose three general officers, Jedediah Preble, Artemas Ward, and Seth Pomeroy, to take the command. Six weeks later the Provincial Congress appointed two more generals, John Thomas and William Heath. These were soldiers of the late French war. Dec. 8.

There had been evidence that the sister colonies of New England at least might be confidently relied upon for vigorous support. All of them had been sending generous supplies to Boston. Connecticut had been making an inspection of her military stores, and a finish of the officering of her militia, had kept "a day of humiliation and prayer on account of the threatening aspects of Divine Providence," and had ordered frequent drills of all her troops. Rhode Island needed no stimulating. Already, two years before, some of her people had shown her impatience for action by the daring adventure of boarding and burning a King's ship. In more regular and effective methods, the conduct of Rhode Island, while the plot thickened, was spirited in a high degree. The artillery and other arms of the colony were distributed in places of security; volunteer companies were enrolled; and the organization of the militia was otherwise reformed. In New Hampshire, the fort at Portsmouth was stripped and dismantled, as Fort George had May. 1772. June 9. 1774. Oct. – Dec. Dec. 13.

been in Newport Harbor, and the ammunition was stored, to await future contingencies.

1775. January. Lord Chatham came again from his long retirement to his place in the House of Lords, to urge a recurrence to conciliatory measures. But he argued, warned, and entreated in vain.

Feb. 9. In an Address of the two Houses of Parliament to the King, they assured him of their support in measures to maintain his authority in all parts of his dominions; and the next day, by a large majority, a bill was passed designed to retaliate on the non-importation agreement in the colonies.

Feb. 10.

Feb. 1. A new Provincial Congress met in Massachusetts in the same month. They published a declaration that, for reasons which they set forth, they apprehended an attempt on the part of the British Ministry to destroy the colony; and they announced that no time was to be lost on the part of the militia, and especially of the minute-men, to bring themselves to a good condition of discipline and efficiency.

Feb 9.

Feb. 15.

Feb. 26. General Gage sent from the Castle a hundred and fifty men to destroy some military stores, which, as he heard, were collected at Salem. The party was confronted by thirty or forty men under Colonel Pickering, who had raised the draw of a bridge in that town, and the party, after a parley, withdrew without accomplishing its object.

It was understood that at Concord, eighteen

miles from Boston, the Provincial Congress had made a considerable deposit of arms and ammunition. The governor sent a detachment of eight hundred men to destroy or bring them away. An hour before a midnight of early spring the troops stealthily left the town in boats. But they were watched, and, by signals before agreed upon, the movement was made known to the people on the other side. The next morning heard "the shot which has rung round the world." Landing in Cambridge, the troops pushed on to Lexington, which they reached at daybreak. There they found a company of some seventy minute-men, drawn up under arms. The British major in command called on them to disperse, and ordered his men to fire. Eight Americans were killed and several were wounded, and the party proceeded on its destination. Reaching Concord, and occupying the bridge over the river of that name, at the further end of the town, they destroyed a part of the stores of which they had come in quest, while the militia collected on the other side and tried to remove the planks. The troops fired, killing Captain Davis, of Acton, and a private of his company. The fire was returned, and the soldiers retreated. As they retraced their steps they were assailed from the rear, and from behind stone-walls on both sides of their way. At Lexington, where they were received into a hollow square by Lord Percy, who had been sent out from Boston to reinforce

April 18.

April 19.

them with nine hundred men, they gained a little rest under the protection of two pieces of cannon. But the day was waning, and it was necessary to resume the march. The alarm was now spread widely, and they were shot at all along their retreat by companies of marksmen who came up by the side roads. In a desperate condition of exhaustion and demoralization, they reached cover at Charlestown, after sunset. The eight years' war of American Independence was begun.

April 21. On the next day but one the British troops were withdrawn into Boston, where, before the end of the week, they and their comrades were surrounded by a force of some twenty thousand provincials, in a semicircle extending from Dorchester to Charlestown. Massachusetts poured in its militia from north, south, and west. Joseph Spencer led three thousand minute-men from Connecticut, and John Stark twelve hundred from New Hampshire. The Quaker, Nathaniel Greene, came with three excellently well equipped regiments from Rhode Island. General Gage, with a command now raised by reinforcements to the number of ten thousand disciplined and well-appointed soldiers, hoped that he might break the blockade and penetrate into the country. It was believed that he was about to make the

attempt by crossing over the narrow channel which divides Boston from Charlestown, and to obstruct that design the American general sent a party by night to build a work on high land of the latter town. The next day a British force four thousand strong drove them out of it, with a loss to themselves of from a thousand to fifteen hundred men, killed and wounded, while the loss of the untrained provincials was reckoned at four hundred and fifty out of fifteen hundred, the largest number at any one time engaged. The Continental Congress which had met at Philadelphia in the preceding month appointed a General-in-Chief of "the armies raised and to be raised for the defence of American liberty." And on the sixteenth day after the fight on Bunker's Hill, the roll of the New England drums at Cambridge announced the presence there of the Virginian, GEORGE WASHINGTON.

June 16.
June 17.
May 10.
June 15.
July 3.

APPENDIX

TO VOLUMES III. AND IV.

MAGISTRATES OF THE NEW ENGLAND COLONIES BETWEEN THE FIRST TWO REVOLUTIONS.

MASSACHUSETTS.

GOVERNORS.

1689–1692.	Simon Bradstreet.	1730–1741.	Jonathan Belcher.
1692–1695.	William Phipps.	1741–1756.	William Shirley.
1697–1701.	Lord Bellomont.	1757–1760.	Thomas Pownall.
1702–1715.	Joseph Dudley.	1760–1769.	Francis Bernard.
1716–1727.	Samuel Shute.	1771–1774.	Thomas Hutchinson.
1728, 1729.	William Burnet.	1774, 1775.	Thomas Gage.

LIEUTENANT-GOVERNORS.

1689–1692.	Thomas Danforth.	1716–1730.	William Dummer.
1692–1701.	William Stoughton.	1733–1757.	Spencer Phips.
1702–1711.	Thomas Povey.	1758–1771.	Thomas Hutchinson.
1711–1716, 1730–1732.	William Tailer.	1771–1774.	Andrew Oliver.
		1774, 1775.	Thomas Oliver.

COUNSELLORS UNDER THE PROVINCIAL CHARTER.*

Simon Bradstreet, 1692.
John Richards, 1692.
Nathaniel Saltonstall, 1692.
Wait Winthrop, 1692–1717.
John Phillips, 1692.
James Russell, 1692–1708.
Samuel Sewall, 1692–1725.
Samuel Appleton, 1692.
Bartholomew Gedney, 1692–1697.
John Hathorne, 1692–1712.
Elisha Hutchinson, 1692–1717.
Robert Pike, 1692–1695.
Jonathan Corwin, 1692–1714.
John Joliffe, 1692.
Adam Winthrop, 1692.
Richard Middlecot, 1692.
John Foster, 1692–1710.
Peter Sargeant, 1692–1702.
John Lynde, 1692.
Samuel Heyman, 1692.
Stephen Mason, 1692.
Thomas Hinckley, 1692.
William Bradford, 1692–1698.
John Walley, 1692, 1693, 1696–1706.
Barnabas Lothrop, 1692–1702.

* See page 451.

Job Alcot, 1692.
Samuel Daniell, 1692, 1693, 1700.
Silvanus Davis, 1692, 1693.
William Stoughton, 1693–1701.
Thomas Danforth, 1693–1699.
John Pynchon, 1693–1702.
Isaac Addington, 1693–1714.
Daniel Pierce, 1693–1703.
William Browne, 1693–1713.
Nathaniel Thomas, 1693–1702.
John Saffin, 1693–1702.
Charles Frost, 1693–1697.
Francis Hooke, 1693, 1694.
Elisha Cooke, 1694–1702.
John Thatcher, 1694–1707.
Samuel Wheelwright, 1694–1699.
Joseph Lynde, 1694–1705, 1707–1716.
Samuel Shrimpton, 1695–1697.
Eliakim Hutchinson, 1697–1717.
John Appleton, 1698–1702.
Penn Townsend, 1698–1707.
Joseph Hammond, 1698–1703, 1705.
Nathaniel Byfield, 1699–1702, 1704.
John Higginson, 1700–1719.
Samuel Partridge, 1700–1714.
Benjamin Browne, 1701–1707.
Andrew Belcher, 1702–1717.
Edward Bromfield, 1703–1720.
Samuel Hayman, 1703–1705.
Samuel Legg, 1703–1706.
Ephraim Hunt, 1703–1713.
Samuel Appleton, 1703–1708, 1713, 1714.
Isaac Winslow, 1703–1736.
Nathaniel Payne, 1703–1707.
Simeon Stoddard, 1704, 1705, 1707.
John Cushing, 1706.
Ichabod Plaisted, 1706–1715.
John Leverett, 1706.
John Appleton, 1706–1723.
Peter Sargeant, 1707–1713.
John Cushing, Jr., 1707–1728.
Nathaniel Norden, 1708–1723.
John Otis, 1708–1727.
John Wheelwright, 1708–1732.
Daniel Epes, 1708–1713.
Joseph Church, 1708.
Thomas Noyes, 1711–1714, 1716–1718, 1721.
William Tailer, 1712–1729.
Benjamin Lynde, 1713–1736.
Addington Davenport, 1714–1729, 1734.
Thomas Hutchinson, 1714–1723, 1725, 1726, 1728–1739.
John Clark, 1714–1719, 1724.
Elisha Cook, 1715, 1717, 1724–1726, 1728.
Samuel Brown, 1715–1730.
John Pynchon, 1715, 1716.
Thomas Oliver, 1715.
Thomas Fitch, 1715–1730, 1734.
Edmund Quincy, 1715–1729, 1734–1737.
Nathaniel Byfield, 1716–1719, 1724–1728.
Adam Winthrop, 1715–1718, 1721–1726, 1728.
William Dummer, 1717–1720, 1722, 1738, 1739.
Samuel Partridge, 1718–1723.
Jonathan Belcher, 1718–1720, 1722, 1723, 1726, 1727.
Jonathan Dowse, 1718–1726, 1728–1730.
Paul Dudley, 1718–1729, 1731–1736.
Joseph Hammond, 1718–1728.
Samuel Thaxter, 1719–1737.
Charles Frost, 1719–1724.
John Burrill, 1720, 1721.
John Turner, 1721–1740.

Spencer Phips, 1721–1723, 1725–1732.
Daniel Oliver, 1724–1732.
Symonds Epes, 1724–1735.
Thomas Palmer, 1724–1726, 1730–1734.
Meletiah Bourne, 1724–1731, 1733–1739.
John Stoddard, 1724, 1727, 1728.
John Clark, 1724–1726.
Edward Hutchinson, 1725, 1726, 1738–1740.
Jonathan Remington, 1727, 1730–1740.
Timothy Lindall, 1727, 1728.
John Chandler, 1727, 1728.
Charles Chambers, 1727, 1728.
Theophilus Burrill, 1727–1730.
William Pepperell, Jr., 1727–1759.
William Dudley, 1729–1740, 1742, 1743.
Peter Thatcher, 1729–1731.
William Clarke, 1730–1733.
John Alford, 1730–1733.
Seth Williams, 1730–1739.
Timothy Gerrish, 1730–1734.
Ebenezer Stone, 1730–1733.
Nathaniel Coffin, 1730.
Thomas Cushing, 1731–1736.
Joseph Wadsworth, 1731–1733.
John Osborne, 1731–1740.
Ebenezer Burrill, 1731–1740, 1742, 1743, 1746.
Ezekiel Lewis, 1731–1735.
Isaac Lothrop, 1732–1736.
Francis Foxcroft, 1732–1757.
Samuel Came, 1733–1741.
John Jeffries, 1733–1744.
Edward Goddard, 1733–1735.
Josiah Willard, 1734–1755.
Jacob Wendell, 1734–1760.
Samuel Welles, 1734–1738, 1740, 1747, 1748.
Anthony Stoddard, 1735–1742.
Jeremiah Moulton, 1735–1751.
Thomas Berry, 1735–1740.
Joseph Wilder, 1735–1740, 1742–1752.
Ebenezer Pomeroy, 1736.
John Cushing, 1736–1763.
Benjamin Lynde, Jr., 1737–1740, 1743–1765.
Nathaniel Hubbard 1737–1740, 1742–1745.
Richard Bill, 1737–1741.
Daniel Russell, 1737–1740.
Ezekiel Lewis, 1738–1740.
Samuel Danforth, 1739–1774.
Shubal Gorham, 1740–1743.
William Brown, 1740.
William Foye, 1741–1751.
John Reed, 1741, 1742.
John Greenleaf, 1741–1756.
Samuel Waldo, 1742–1745.
Samuel Watts, 1742–1763.
George Leonard, 1742–1766.
John Hill, 1742–1769.
James Allen, 1742.
Joseph Dwight, 1742–1746.
John Quincy, 1742, 1747–1753.
Richard Saltonstall, 1743–1745.
John Chandler, 1743.
Ezekiel Cheever, 1743–1762.
Sylvanus Bourne, 1743–1761.
Isaac Little, 1743.
Eliakim Hutchinson, 1744–1746.
James Bowdoin, 1744–1746, 1757–1773.
John Wheelwright, 1745–1754.
James Minot, 1746–1758.
Andrew Oliver, 1746–1765.
Perez Bradford, 1746.
Joseph Pynchon, 1747–1760.
John Otis, 1747–1756.
Thomas Hutchinson, 1749–1765.
Stephen Sewall, 1752–1760.

Jabez Fox, 1752–1754.
Isaac Royall, 1752–1773.
Eleazer Porter, 1753–1757.
Benjamin Lincoln, 1753–1769.
John Erving, 1754–1774.
Richard Cutt, 1755–1762.
William Brattle, 1755–1768.
Benjamin Pickman, 1756–1758.
Robert Hooper, 1757, 1758.
Gamaliel Bradford, 1757–1769.
Thomas Hancock, 1758–1764.
Thomas Hubbard, 1759–1772.
Chambers Russell, 1759, 1760.
Peter Oliver, 1759–1765.
Israel Williams, 1760–1766.
Nathaniel Sparhawk, 1760–1765, 1767–1772.
Harrison Gray, 1761–1772.
John Choate, 1761–1765.
James Russell, 1761–1773.
Thomas Flucker, 1761–1768.
Nathaniel Ropes, 1762–1768.
James Otis, 1762–1765, 1770–1774.
Timothy Paine, 1763–1768.
John Bradbury, 1763–1772.
Timothy Ruggles, 1764.
Royall Tyler, 1764–1770.
Edmund Trowbridge, 1764, 1765.
Andrew Belcher, 1765–1767.
John Chandler, 1765–1767.
Samuel White, 1766–1768.
Jeremiah Powell, 1766–1773, 1774.
John Worthington, 1767, 1768.
Samuel Dexter, 1768–1773.
William Sever, 1769–1774.
James Pitts, 1766–1774.
Benjamin Greenleaf, 1770–1774.
Thomas Saunders, Jr., 1770–1772.
Joseph Gerrish, 1770.
Joshua Henshaw, 1770, 1771.
Artemas Ward, 1770–1774.
Stephen Hall, 1770–1772.
Walter Spooner, 1770–1774.
James Gowen, 1770–1773.
George Leonard, Jr., 1770–1774.
James Humphrey, 1770–1773.
Caleb Cushing, 1771–1774.
Timothy Woodbridge, 1771–1773.
John Hancock, 1772, 1773.
Samuel Phillips, 1772–1774.
Humphrey Hobson, 1773.
John Winthrop, 1773.
John Whitcomb, 1773.
Jedidiah Preble, 1773, 1774.
Richard Derby, Jr., 1774.
Benjamin Chadbourn, 1774.

Mandamus Counsellors (1774).

[See Vol. IV. p. 433. Only the first ten took the official oath.]

Thomas Flucker.	Thomas Hutchinson, Jr.	Josiah Edson.
Foster Hutchinson.	Samuel Danforth.	Richard Lechmere.
Harrison Gray.	John Erving, Jr., (Capt.)	John Worthington.
Joseph Lee.	James Russell.	Timothy Paine.
Isaac Winslow.	Timothy Ruggles.	Jeremiah Powell.
William Browne.	Israel Williams.	Jonathan Simpson.
James Boutineau.	George Watson.	John Murray.
Joshua Loring.	Nathaniel Ray Thomas.	Daniel Leonard.
William Pepperell.	Timothy Woodbridge.	Thomas Palmer.
John Erving, Jr., (Col.)	William Vassall.	Isaac Royall.
Thomas Oliver.	Joseph Greene.	Robert Hooper.
Peter Oliver.	Andrew Oliver.	Abijah Willard.

CONNECTICUT.

Governors.

1689 – 1698. Robert Treat.
1698 – 1707. Fitz-John Winthrop.
1707 – 1724. Gurdon Saltonstall.
1724 – 1741. Joseph Talcott.
1741 – 1750. Jonathan Law.
1750 – 1754. Roger Wolcott.
1754 – 1766. Thomas Fitch.
1766 – 1769. William Pitkin.
1769 – 1775. Jonathan Trumbull.

Lieutenant-Governors.

1689 – 1692. James Bishop.
1692 – 1697. William Jones.
1698 – 1708. Robert Treat.
1708 – 1723. Nathan Gold.
1723. Joseph Talcott.
1724 – 1741. Jonathan Law.
1741 – 1750. Roger Wolcott.
1750 – 1754. Thomas Fitch.
1754 – 1766. William Pitkin.
1766 – 1769. Jonathan Trumbull.
1769 – 1775. Matthew Griswold.

Assistants.

Nathan Gold, 1689 – 1694.
John Allyn, 1689 – 1696.
William Jones, 1689 – 1692.
Andrew Leet, 1689 – 1703.
John Wadsworth, 1689 – 1690.
James Fitch, 1689 – 1698, 1700 – 1709.
Samuel Mason, 1689 – 1703.
Benjamin Newbury, 1689, 1690.
Samuel Talcott, 1689 – 1692.
Giles Hamlin, 1689, 1690.
Samuel Willis, 1689 – 1693, 1698, 1699.
Fitz-John Winthrop, 1689, 1690, 1693 – 1698.
John Burr, 1690 – 1695.
William Pitkin, 1690 – 1694.
Daniel Wetherell, 1690 – 1710.
Nathaniel Stanly, 1690 – 1713.
Caleb Stanly, 1692 – 1701.
Moses Mansfield, 1692 – 1704.
John Hamlin, 1694 – 1730.
Jonathan Sellick, 1695 – 1701.
Nathan Gold, 1695 – 1708.
William Pitkin, 1697 – 1723.
Joseph Curtis, 1698 – 1722.
Richard Christophers, 1699, 1700, 1703 – 1729.
James Fitch, 1700 – 1709.
John Chester, 1701 – 1712.
Josiah Rossiter, 1701 – 1711.
Peter Burr, 1703 – 1725.
John Alling, 1704 – 1717.
John Haynes, 1708 – 1714.
Samuel Eells, 1709 – 1740.
Matthew Allyn, 1710 – 1734.
Joseph Talcott, 1711 – 1723.
Abraham Fowler, 1712 – 1720.
John Sherman, 1713 – 1723.
Roger Wolcott, 1714 – 1718, 1720 – 1741.
Jonathan Law, 1717 – 1724.
James Wadsworth, 1718 – 1752.
John Hall, 1722 – 1730.
Hezekiah Brainerd, 1723 – 1727.
John Hooker, 1723 – 1734.
Joseph Wakeman, 1724 – 1727.
Nathaniel Stanly, 1725 – 1749.

Joseph Whiting, 1725 – 1746.
Ozias Pitkin, 1727 – 1747.
Timothy Pierce, 1728 – 1748.
John Burr, 1729 – 1740.
Samuel Lynde, 1730 – 1754.
Edmund Lewis, 1730 – 1739.
William Pitkin, 1734 – 1766.
Thomas Fitch, 1734 – 1736, 1740 – 1750.
Roger Newton, 1736 – 1740.
Ebenezer Silliman, 1739 – 1766.
Jonathan Trumbull, 1740 – 1751.
Hezekiah Huntington, 1740 – 1743, 1748 – 1773.
John Bulkley, 1743 – 1753.
Andrew Burr, 1746 – 1764.
John Chester, 1747 – 1766.
Gurdon Saltonstall, 1749 – 1754.
Thomas Welles, 1751 – 1761.
Benjamin Hall, 1751 – 1766.
Phineas Lyman, 1752 – 1759.
Jonathan Trumbull, 1754 – 1766.
Roger Wolcott, 1754 – 1760.
Jonathan Huntington, 1754 – 1758.
Daniel Edwards, 1755 – 1765.
Jabez Hamlin, 1758 – 1766, 1773 – 1775.
Matthew Griswold, 1759 – 1769.
Shubael Conant, 1760 – 1775.
Elisha Sheldon, 1761 – 1775.
Eliphalet Dyer, 1762 – 1775.
Jabez Huntington, 1764 – 1775.
William Pitkin, Jr., 1766 – 1775.
Roger Sherman, 1766 – 1775.
Robert Walker, 1766 – 1772.
Abraham Davenport, 1766 – 1775.
William Samuel Johnson, 1766 – 1775.
Joseph Spencer, 1766 – 1775.
Zebulon West, 1770, 1771.
Oliver Wolcott, 1771 – 1775.
James A. Hillhouse, 1773 – 1775.
Samuel Huntington, 1775.

RHODE ISLAND.

Governors.

1689. Henry Bull.
1690 – 1694. John Easton.
1695. Caleb Carr.
1696, 1697. Walter Clarke.
1698 – 1726. Samuel Cranston.
1727 – 1731. Joseph Jenckes.
1732, 1733. William Wanton.
1734 – 1740. John Wanton.
1741, 1742. Richard Ward.
1743, 1744. William Greene.
1745. Gideon Wanton.
1746. William Greene.
1747. Gideon Wanton.
1748 – 1754. William Greene.
1755, 1756. Stephen Hopkins.
1757, 1758. William Greene.
1758 – 1761. Stephen Hopkins.
1762. Samuel Ward.
1763, 1764. Stephen Hopkins.
1765, 1766. Samuel Ward.
1767. Stephen Hopkins.
1768. Josias Lyndon.
1769 – 1775. Joseph Wanton.

Deputy-Governors.

1689. John Coggeshall.
1690 – 1699. John Greene.
1700 – 1713. Walter Clarke.
1714. Henry Tew.
1715 – 1720. Joseph Jenckes.
1721. John Wanton.

1722 - 1726. Joseph Jenckes.
1727. Jonathan Nichols.
1728. Thomas Fry.
1729 - 1733. John Wanton.
1734 - 1737. George Hassard.
1738, 1739. Daniel Abbott.
1740. Richard Ward.
1741, 1742. William Greene.
1743, 1744. Joseph Whipple.
1745. William Robinson.
1746. Joseph Whipple.
1747. William Robinson.
1748, 1749. William Ellery.
1750. Robert Hazard.
1751, 1752. Joseph Whipple.
1753. Jonathan Nichols, Jr.
1754. John Gardner.
1755. Jonathan Nichols, Jr.
1756 - 1763. Jonathan Gardner.
1764. Joseph Wanton, Jr.
1765, 1766. Elisha Brown.
1767. Joseph Wanton, Jr.
1768. Nicholas Cooke.
1769 - 1774. Darius Sessions.
1775. Nicholas Cooke.

ASSISTANTS.

John Easton, 1689.
Edward Thurston, 1689, 1690 - 1721, 1723 - 1726.
Joseph Jenckes, 1689, 1696, 1708 - 1712.
George Lawton, 1689, 1690, 1714.
John Greene, 1689.
Benjamin Smith, 1689, 1696, 1698, 1700 - 1703.
Benedict Arnold, 1690.
Stephen Arnold, 1690, 1696.
John Dexter, 1690.
Caleb Carr, 1690.
John Coggeshall, 1690.
Isaac Lawton, 1690.

[The records of elections in Rhode Island are wanting from May, 1690, to May, 1696.]

Samuel Cranston, 1696.
Walter Newbury, 1696.
James Barker, 1696, 1698, 1699.
Joseph Sheffield, 1696, 1698 - 1705.
Giles Slocum, Jr., 1696, 1698 - 1700, 1703 - 1705, 1708 - 1712, 1722, 1723.
William Gibson, 1696.
Jeoffrey Champlin, 1696, 1698 - 1701, 1703 - 1715.
Nathaniel Coddington, 1698, 1703 - 1706, 1715 - 1717.
Richard Arnold, 1698, 1699.
Joseph Williams, 1698 - 1707.
John Foanes, 1698.
Walter Clarke, 1699.
Robert Carr, 1690, 1691, 1701, 1702.
Benjamin Barton, 1699 - 1702.
Joseph Hull, 1699, 1701, 1702.
Isaac Martindale, 1700 - 1702.
William Hopkins, 1700 - 1706.
John Eldridge, 1700, 1701, 1703 - 1707, 1709, 1711, 1712, 1715 - 1717.
Benjamin Hall, 1701, 1702.
Edward Greenman, 1701.
Robert Lawton, 1702.
George Hassard, 1702.
Henry Tew, 1703, 1704, 1708 - 1712.
James Greene, 1703.
Job Greene, 1704, 1712 - 1714, 1729 - 1732.
Richard Greene, 1704, 1706 - 1711.

William Wanton, 1706, 1707, 1713, 1724–1731.
George Brownell, 1706–1711.
Thomas Cornell, Jr., 1706, 1707, 1718–1722.
Randall Holden, 1706–1713, 1715–1720, 1722–1726.
Thomas Fenner, 1707, 1708–1713, 1715–1717.
John Rogers, 1707–1712.
George Brown, 1707.
George Cornell, 1710–1714, 1716, 1722–1739.
Richard Waterman, 1713, 1719, 1727–1730.
Samuel Clarke, 1713, 1715, 1716.
Nathaniel Sheffield, 1713, 1714.
Jonathan Nichols, 1714, 1718–1726, 1750–1753.
Joseph Whipple, 1714.
Philip Tillinghast, 1714.
Benjamin Greene, 1714.
Jeremiah Gould, 1714, 1716, 1722–1725, 1736–1740.
John Wanton, 1715–1720, 1723.
James Brown, 1715–1722.
William Coggeshall, 1715.
John Wickes, 1715–1741.
Gideon Freelove, Jr., 1717.
William Anthony, 1717–1721, 1723–1738.
Rouse Helme, 1717, 1723–1744.
Arthur Fenner, 1718, 1721.
Stephen Hazard, 1708, 1718–1721.
Elisha Cole, 1718–1722.
Nicholas Power, 1720, 1724–1728, 1731–1733.
Andrew Harris, 1721–1723.
John Waterman, 1721, 1727, 1728.
Benjamin Ellery, 1722, 1740, 1741.
Francis Willett, 1726–1728.
William Coddington, 1727, 1728.
Samuel Vernon, 1729–1737.
William Smith, 1729–1731.
William Hall, 1729–1735.
John Gardner, 1733–1736.
John Potter, 1733–1735, 1750.
Philip Arnold, 1733–1743.
Ezekiel Warner, 1734–1743.
Thomas Olney, 1736.
Peter Bours, 1737–1743, 1748, 1749.
Joseph Fenner, 1737–1739.
John Chipman, 1738, 1739.
James Arnold, 1738, 1739, 1742–1746, 1748–1752, 1775.
Gideon Cornell, 1739–1745, 1764.
Richard Fenner, 1740–1744.
John Dexter, 1740–1743.
Christopher Phillips, 1741.
William Ellery, 1742–1744.
Daniel Howland, 1742–1745.
Daniel Coggeshall, 1742–1744, 1746, 1748–1754, 1757, 1758, 1762, 1767.
Benjamin Hassard, 1744, 1745, 1747.
William Burton, 1744, 1748, 1749.
William Rice, 1744, 1745.
William Rhodes, 1744, 1747.
Jonathan Randall, 1745, 1747, 1758–1760, 1763, 1767, 1769–1775.
Gideon Durfey, 1745, 1747.
Benjamin Weight, 1745.
Jeremiah Niles, 1745, 1747.
John Cranston, 1746.
Abraham Redwood, 1746.
John Comstock, 1746.
Robert Gibbs, 1746, 1748.
Stephen Brownell, 1746, 1748, 1749, 1751–1754.
Robert Lawton, 1746, 1748–1757, 1762.
Philip Greene, 1746.

Jeoffrey Watson, 1746, 1748–1754, 1758.
George Wanton, 1747, 1750.
Benjamin Tucker, 1747, 1750.
Joseph Edmonds, 1747, 1758, 1759.
Ephraim Gardner, 1747.
William Richmond, 1747–1756, 1758–1760.
John Gardner, 1748.
Simon Pease, 1749.
Edward Kinnicutt, 1749.
Jabez Bowen, 1750–1754, 1757, 1759–1761, 1765.
John Tillinghast, 1751–1755.
Nicholas Cooke, 1751–1756, 1759–1761, 1767.
Jeremiah Lippitt, 1753–1757.
Nicholas Easton, 1754–1762, 1765, 1766, 1770, 1771.
Obadiah Brown, 1755, 1756.
Joseph Brownell, Jr., 1755, 1756, 1758.
John Congdon, 1755, 1756, 1768–1774.
Thomas Hazard, 1755–1757.
James Honeyman, 1756–1763.
Henry Harris, 1757.
David Anthony, 1757.
Nathaniel Searle, 1757, 1762, 1765, 1766.
Elisha Brown, 1758.
Gideon Comstock, 1758.
Francis Willet, 1759–1761.
Henry Gardner, 1759, 1762.
Jonathan Freeborn, 1759–1761.
Joseph Lippitt, 1760, 1761, 1763, 1764.
Joseph Harris, 1761, 1762, 1765.
Thomas Church, 1761, 1763, 1764, 1767, 1775.
Nicholas Tillinghast, 1762–1764.
Darius Sessions, 1762–1764.
Samuel Greene, 1762.
Peleg Thurston, 1763, 1764, 1767–1769.
John Almy, 1763, 1764, 1771–1774.
Samuel Brownell, 1763, 1764.
Joseph Hazard, 1763, 1764–1767, 1769–1771, 1775.
Gideon Wanton, Jr., 1765, 1766–1768.
Ezekiel Comstock, 1765.
John Jepson, 1765, 1766, 1775.
Caleb Allen, 1765.
Thomas Haszard, 1765.
Othniel Gorton, 1765, 1766.
Thomas Owen, 1766, 1768.
Stephen Rawson, 1766.
John Burton, 1766.
George Nichols, 1766.
Hezekiah Babcock, 1766, 1768.
Josiah Arnold, 1767.
Ephraim Bowen, 1767, 1768.
John Mawdfley, 1767.
Thomas Wickes, 1767–1774.
Joseph Hazard, 1767, 1769–1771, 1775.
Silas Cooke, 1768.
James Barker, Jr., 1768, 1772, 1773.
John Waterman, Jr., 1768.
Constant Southworth, 1768.
Job Bennett, 1769.
Solomon Drown, 1769–1773.
David Harris, 1769–1774.
Weston Hix, 1769, 1770.
William Richmond, Jr., 1769–1774.
Samuel Dyer, 1770–1773, 1775.
Rowland Robinson, 1772, 1773.
John Collins, 1774, 1775.
Peleg Barker, 1774.
John Sayles, Jr., 1774, 1775.
William Potter, 1774.
Ambrose Page, 1775.
Peter Phillips, 1775.

NEW HAMPSHIRE.

Governors.

1692–1698. Samuel Allen.
1699–1701. Earl of Bellomont.
1702–1714. Joseph Dudley.
1716–1724. Samuel Shute.
1728, 1729. William Burnet.
1730–1740. Jonathan Belcher.
1740–1767. Benning Wentworth.
1767–1775. John Wentworth.

Lieutenant-Governors.

1692–1697. John Usher.
1697–1704. William Partridge.
1704–1715. John Usher.
1715–1717. George Vaughan.
1717–1730. John Wentworth.
1731–1740. David Dunbar.

Counsellors.

John Hinks, 1692–1705.
Nathaniel Fryer, 1692–1703.
Henry Green, 1692–1698.
Robert Elliot, 1692–1716.
John Gerrish, 1692–1702.
William Vaughan, 1692–1715.
Richard Waldron, 1692–1698.
Thomas Graffort, 1692.
John Walford, 1692.
John Love, 1692.
Peter Coffin, 1692–1712.
John Gerrish, 1692–1709.
Nathaniel Weare, 1692–1716.
Joseph Smith, 1696–1717.
Kingsley Hall, 1698–1736.
Samuel Penhallow, 1702–1726.
John Plaisted, 1702–1716.
Henry Dow, 1702–1707.
William Partridge, 1703.
Mark Hunkin, 1710–1728.
John Wentworth, 1712–1717.
Richard Gerrish, 1716, 1717.
Theodore Atkinson, 1716–1719.
Shadrach Walton, 1716–1741.
George Jaffrey, 1716–1749.
Richard Wibird, 1716–1732.
Thomas Westbrook, 1716–1736.
Thomas Packer, 1719–1723.
Archibald Macpheadris, 1722–1728.
John Frost, 1724–1732.
Jotham Odiorne, 1724–1748.
Henry Sherburne, 1728–1757.
Richard Waldron, 1732–1742.
Joshua Pierce, 1732–1743.
Benjamin Gamling, 1732–1737.
Ephraim Dennett, 1734.
Theodore Atkinson, 1734–1775.
Ellis Huske, 1734–1755.
Joseph Sherburne, 1734–1744.
Benning Wentworth, 1734–1740.
Richard Wibird, 1740–1765.
John Rindge, 1738.
John Downing, 1740–1745.
Samuel Smith, 1740–1760.
Samuel Solley, 1743–1757.
Sampson Sheafe, 1747–1772.
Daniel Warner, 1753–1775.
Joseph Newmarch, 1754–1765.
Mark H. Wentworth, 1759–1767.
James Nevin, 1759–1769.
William Temple, 1762.
Theodore Atkinson, Jr., 1762–1769.
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